

FILED

MAR 9 - 2010

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
BY: Y. A. WILLIAMS
DEPUTY CLERK

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**


IN RE:)
)
DUTIES AND POWERS OF UNITED) GENERAL ORDER NO. 488
STATES MAGISTRATE JUDGES:)
FORFEITURE OF COLLATERAL)
_____)

The attached 2010 Collateral Forfeiture Schedule shall be adopted as the uniform bail schedule for this district and shall replace the collateral forfeiture schedule heretofore submitted and adopted by this Court. The Clerk is directed to make said schedule readily accessible on the Court's internet and intranet sites.

IT IS SO ORDERED.

Dated: March 9, 2010

FOR THE COURT:



ANTHONY W. ISHII
Chief United States District Judge

Attachment

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA



2010

Collateral Forfeiture Schedule

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FORFEITURE OF COLLATERAL IN LIEU OF APPEARANCE

(a) Forfeiture of Collateral - Generally

Persons charged with certain misdemeanors may, in lieu of appearance, post collateral in the amount indicated for the offense, waive appearance before a magistrate judge, and consent to forfeiture of collateral, unless either the charging document makes appearance mandatory or the offense charged is not provided for in this Collateral Forfeiture Schedule.

(b) Forfeiture of Collateral Schedule

The offenses for which collateral may be posted and forfeited in lieu of appearance by the person charged, together with the amounts of collateral to be posted, are provided for herein.

(c) Excluded Offenses

A person charged with an offense requiring a Mandatory Appearance or MA, or an offense not otherwise listed herein may not be permitted to post collateral, waive appearance before a magistrate judge, and consent to forfeiture of collateral.

(d) Maximum Penalties in Lieu of Forfeiture of Collateral

If a person charged with an offense under subsection (a) hereof fails to post and forfeit collateral, a punishment, including fine, CVB processing fee, special assessment (18 USC 3013), imprisonment or probation, may be imposed within the limits established by law upon conviction by plea or after trial.

(e) Failure to Appear

If a person charged with an offense under subsection (a) hereof fails to post and forfeit collateral, and then fails to appear for a duly scheduled hearing on the offense charged, and a showing is made consistent with the provisions of Fed. R. Crim. P. 58(d)(3), then the magistrate judge may issue a warrant of arrest for that person. Upon receipt of the warrant of arrest, the United States Marshal for this District may, in lieu of execution thereof, give written notice to the person that a warrant of arrest has issued for his or her arrest, and must state in the notice that the warrant of arrest will not be executed if, within ten (10) days of the notice, (1) the person voluntarily presents himself or herself before the magistrate judge during usual business hours for the purpose of scheduling a hearing on the charged offense; or (2) the person remits as collateral to be posted and forfeited an amount *twice* that set forth in the charging document.

In the event that the person properly appears before the magistrate judge, or properly remits and forfeits the collateral, as hereinabove set forth, then the magistrate judge must vacate the warrant of arrest; if the person fails to appear or remit as stated above, the United States Marshal may execute the warrant of arrest consistent with applicable law.

MA: Mandatory Appearance in Court

In all cases where a bail amount is listed, a mandatory appearance may be required at the discretion of the citing officer when:

- 1) MA is listed in the alternative to a bail; or
- 2) The commission of the offense involved loss or damage to the property of the United States or another; or
- 3) The commission of the offense involved a threat to the safety and/or welfare of others; or
- 4) The offender has committed or has been charged with the same or similar offense(s) on prior occasion(s).

ASSIMILATIVE CRIMES ACT 18 U.S.C. 13

When adopting State Regulations or State Bail: Use the “Base Fine”¹ amount of the *current* California Bail and Penalty Schedule which is incorporated herein, except for the specific assimilated state offenses listed in the Appendix.²

¹ Only the base fine shall be applied since California’s scheme of restitution fines, penalty assessments, and fees are not assimilated through the Assimilative Crimes Act. See, United States v. Davis, 845 F.2d 94; 99 (5th Cir. 1988); United States v. Robertson, 638 F.Supp. 1202, 1214 (E.D. VA. 1986).

See, also, Judge Mueller’s decision in United States v. Knox, Violation Nos. D2530, 2531 (E.C.D.A. December 20, 2004).

² It is not practical to list all possible California crimes or regulations that are assimilated herein. The most common are listed in the Appendix with the corresponding suggested collateral forfeiture. Since this list is not inclusive, it may be subject to change from time to time. If the Appendix does not include the assimilated crime or regulation the “Base Fine” amount of the State Bail Schedule must be utilized or, alternatively, MA, if appropriate.

TITLE 36 - CODE OF FEDERAL REGULATIONS

NATIONAL PARKS

<u>SECTION</u>	<u>OFFENSE</u>	<u>BAIL</u>
<u>PART 1 - GENERAL PROVISIONS</u>		
1.5(f)	<u>CLOSURE OF PUBLIC USE LIMITS</u>	\$150
1.6(g)	<u>PERMITS</u>	
	(1) Engaging in activity for which a permit is required	\$150
	(2) Without a permit or violating the terms and conditions of a permit	\$150
<u>PART 2 - PRESERVATION OF NATURAL CULTURAL AND ARCHEOLOGICAL RESOURCES</u>		
2.1	<u>PRESERVATION OF NATURAL, CULTURAL AND ARCHEOLOGICAL RESOURCES</u>	
(a)	The following are prohibited:	
	(1) Possession, destroying, injuring, defacing, removing, digging or disturbing from its natural state:	
	(i) Living or dead wildlife or fish, or parts or products thereof	\$250
	(ii) Plants or parts of plants	\$150 or MA
	(iii) Non-fossilized and fossilized specimens, etc.	MA
	(iv) Mineral or cave resource	MA
	(2) Introducing wildlife, fish or plants into park area	MA
	(3) Rock throwing, etc., in caves, down hills, into thermal features, etc.	\$150 or MA
	(4) Using or possessing wood from within the park	\$150
	(5) Walking or climbing, etc. on an archeological or cultural resource, monument or statue	\$150 or MA

(6)	Possessing, disturbing, etc. a structure, or cultural or archeological resource	MA
(7)	Possession or use of a mineral or metal detector, etc.	\$50
(b)	Leaving the trail, shortcutting in restricted areas, etc.	\$50
(c)	(3) The following are prohibited:	
	(i) Gathering or possessing undesignated natural products	\$150* or MA
	(ii) Violation of size or quantity limits of natural products	\$150* or MA
	(iii) Removal of natural products	\$150* or MA
	(iv) Gathering natural products outside of designated areas	\$150* or MA
	(v) Sale or commercial use of natural products	\$200* or MA

2.2 WILDLIFE PROTECTION

(a)	The following are prohibited:	
	(1) Taking of wildlife	\$250 or MA
	(2) Disturbance of wildlife	\$250 or MA
	(3) Possessing unlawfully taken wildlife	\$250 or MA
(b)	(4) Hunting not in accordance with Federal and State Law or State Codes	Appendix
(d)	Violation of conditions or procedures for transporting wildlife	Appendix
(e)	Viewing wildlife with artificial light in closed area	Appendix

* Timber, tree, fuel or firewood gathering (for personal use outside Park) \$300 or MA

2.3 FISHING

(a)	Non-conflicting State law adopted as part of the regulation	Appendix or CA Bail
	FISHING W/O A LICENSE	
(1)	Fishing w/o license	\$300
(2)	Fishing w/o license in possession (proof of correction to officer or in court)	\$100
(c)	Violation of Superintendent’s artificial lures with a single barbless hook	\$50
(d)	The following are prohibited:	
(1)	Fishing in fresh water in manner other than with hook and line	\$250
(2)	Possessing or using unauthorized bait or non-preserved roe, etc.	\$150
(3)	Chumming, etc., not allowed	\$150
(4)	Commercial fishing except where specifically authorized	MA
(5)	Fishing by use of drugs, poisons, explosives or electricity	MA
(6)	Digging for bait	\$50
(7)	Failure to return immediately to water unauthorized or unwanted fish	\$50
(8)	Fishing from or within 200 feet of bridge or within limits of designated swimming, surfing area or public dock	\$50
(e)	Fishing with spear, net or weapon shall be in accordance with State law	\$350

2.4 WEAPONS, TRAPS AND NETS

(a)	Possessing, using, discharging or carrying a weapon, trap or net	\$250 or MA
(b)	Carrying or possessing a loaded weapon in a motor vehicle, vessel or other mode of transportation that is under way or being used as a shooting platform	\$250 or MA
(c)	Endangering persons or property by use of weapon, trap or net	\$250 or MA

- (d) Violation of permit to carry or possess weapon, trap or net \$250
- (f) Carrying or possessing weapon, trap or net must be in compliance with Federal and State regulations (*exclusive of California Penal Code*) \$250 or MA

2.5 RESEARCH SPECIMENS

- (a) Taking plants, fish, wildlife, rocks or minerals except in accordance with permit \$150 or MA
- (h) Violation of the terms and conditions of permit \$150

2.10 CAMPING AND FOOD STORAGE

- (b) The following are prohibited:
 - (1) Digging or leveling of ground \$100 or MA
 - (2) Leaving equipment, alterations, or refuse \$150 or MA
 - (3) Camping within 25 feet of hydrant, main road, or within 100 feet of body of water, except as designated \$50
 - (4) Creating unreasonable noise between hours of 10:00 PM and 6:00 AM \$150 or MA
 - (5) Installation of permanent camping facilities \$250 or MA
 - (6) Display of wildlife carcasses \$150
 - (7) Connection to utility system \$150
 - (8) Failure to obtain permit \$150
 - (9) Violating Superintendent's established conditions \$100 (+ \$25 per day over stay limit)
 - (10) Camping outside of designated sites or areas \$50
- (c) Violation of permit conditions \$150
- (d) Failure to properly store food, etc. \$75

2.11 PICNICKING

Picnicking in closed areas or in violation of established conditions \$50

2.12 AUDIO DISTURBANCES

(a) The following are prohibited:

(1) Operation of motorized equipment, or audio device in manner exceeding:

(i) Exceeds noise level of 60 decibels \$150

(ii) Reasonable noise \$150

(2) Operating power saw without permit in undeveloped areas \$150

(3) Operating motor or engine without permit in undeveloped areas \$150

(4) Operating public address system without permit \$150

(b) Violation of terms and conditions of a permit \$150

2.13 FIRES

(a) The following are prohibited:

(1) Fire in undesignated area \$350

(2) Stove or lantern in undesignated area \$350

(3) Stove or lantern creating public safety hazard \$350

(4) Unattended fire \$350

(5) Lighted or smoldering material discarded in manner to create public safety hazard \$350

(c) Fire Closure: During High Fire Danger \$350

2.14 SANITATION AND REFUSE

(a) The following are prohibited:

- | | | |
|-----|---|-------------|
| (1) | Disposing of refuse improperly | \$150 or MA |
| (2) | Use of government receptacles for unauthorized refuse | \$150 or MA |
| (3) | Depositing refuse in plumbing or toilets | \$150 or MA |
| (4) | Draining trailer or vehicle in unauthorized area | \$150 or MA |
| (5) | Bathing or washing materials at public water outlets | \$50 |
| (6) | Polluting or contaminating park area waters | \$350 or MA |
| (7) | Disposing of fish remains within 200 feet of docks, beaches, or other developed areas | \$150 |
| (8) | Improper disposal of human body waste in developed areas | \$150 or MA |
| (9) | Disposal of human body waste within 100 feet of water, campsite, or within sight of trail in undeveloped area | \$150 or MA |

(b) Violation of disposal, containerization, or carry-out conditions \$150

2.15 PETS

(a) The following are prohibited:

- | | | | |
|-----|--|----------------------|-------|
| (1) | Possessing pet in closed area | (i) Closed area | \$75 |
| | | (ii) Wilderness area | \$150 |
| | | (iii) Hunting dogs | \$150 |
| (2) | Failure to crate, cage, or restrain pet on leash not to exceed six feet (failure to physically confine pet at all times) | | \$50 |
| (3) | Unattended pet left tied to an object | | \$75 |
| (4) | Allowing pet to make unreasonable noise | | \$75 |
| (5) | Failure to dispose of pet excrement properly | | \$75 |

- (b) Pets used in hunting activities must be in accordance with Federal and State laws \$500
- (e) Violation of conditions by resident \$150

2.16 HORSES AND PACK ANIMALS

The following are prohibited:

- (a) Undesignated animals being used for pack animals \$200
- (b) Horses or pack animals in undesignated areas \$200
- (c) Use of horses or pack animals on park roads \$200
- (d) “Free-Trailing” or loose-herding of horses or pack animals in undesignated areas \$200
- (e) Failure to slow horse or pack animal to walk when passing pedestrians or bicycles \$200
- (f) Trail obstruction or unreasonable noise while horses or pack animals are passing \$200
- (g) Violation of conditions established by Superintendent \$150 + \$25 per head

2.17 AIRCRAFT AND AIR DELIVERY

- (a) The following are prohibited:
 - (1) Operating aircraft in undesignated areas MA
 - (2) Operating within 500 feet of beaches, docks, piers, ramps and designated areas MA
 - (3) Delivering or retrieving a person or object by airborne means, except in an emergency MA
- (c) (2) Removal of down aircraft MA
- (d) Use of aircraft shall be in accordance with FAA regulations MA
- (e) Hovercraft is prohibited \$250

(f) Violation of terms and conditions of a permit \$150 or MA

2.18 SNOWMOBILES

(b) State laws shall govern equipment standards and operation Appendix or CA Bail

(c) Use of snowmobile prohibited, except in designated areas \$400 or MA

(d) The following are prohibited:

(1) Operating a snowmobile that makes excessive noise \$150

(2) Operating without a lighted white headlamp and a red taillight, from ½ hour after sunset to ½ hour before sunrise during designated hours \$100

(3) Operating a snowmobile with brakes not in good working order \$100

(4) Racing or operating in excess of 45 MPH or the posted limit \$150

(e) Except where State law prescribes, the following are prohibited:

(1) Operation of snowmobile by person under 16 unless in line of sight by person 21 years old \$150

(2) Operation of snowmobile by person under 12 unless accompanied on machine by person 21 years old \$150

(3) Supervising more than one person under 16 \$150

2.19 WINTER ACTIVITIES

(a) Skiing or sledding on road or posted area \$150

(b) Towing skiers or sledder in unauthorized area \$150

(c) Failure to abide by designation or restrictions \$150

2.20 SKATING, SKATEBOARDS, AND SIMILAR DEVICES

Use of roller skates, skateboards, roller skis, coasting vehicles, is prohibited except in designated areas \$150

2.21 SMOKING

- (a) Smoking not allowed in designated areas \$50
During period of fire restrictions \$350
- (b) Smoking is prohibited in caves \$50

2.22 PROPERTY

- (a) The following are prohibited:
 - (1) Abandoning property \$150 or MA
 - (2) Leaving property unattended for longer than 24 hours \$50 or MA
 - (3) Failure to turn in property to Superintendent \$150

2.23 RECREATION FEES

- (b) Failure to pay required fees \$50 per incident
NTE \$100

2.30 MISAPPROPRIATION OF PROPERTY AND SERVICES

- (a) The following are prohibited:
 - (1) Unlawful possession of another's property MA
 - (2) Obtaining property or services without making payment MA
 - (3) Obtaining property or services by means of deception or using fraudulently obtained credit card or non-negotiable paper MA
 - (4) Shoplifting or paying less by deception is prohibited MA
 - (5) Acquiring or possessing stolen property MA

2.31 TRESPASSING, TAMPERING AND VANDALISM

- (a) The following are prohibited:
 - (1) Trespassing on property not open to public \$150 or MA

- (2) Unlawful tampering with personal property \$150 or MA
- (3) Destroying, injuring, defacing or damaging property \$250 or MA

2.32 INTERFERING WITH AGENCY FUNCTIONS

(a) The following are prohibited:

- (1) Any interference with a Government employee engaged in an official duty or on account of the performance of an official duty MA
- (2) Failure to obey a lawful order \$250 or MA
- (3) Giving false information
 - (i) To authorized person investigating MA
 - (ii) On application for permit \$250 or MA
- (4) False report to authorized person MA

2.33 REPORT OF INJURY OR DAMAGE

- (b) Failure to report incident resulting in injury to persons or damage to property in excess of \$300 \$150

2.34 DISORDERLY CONDUCT

(a) The following are prohibited:

- (1) Fighting, threatening or violent behavior \$250 or MA
- (2) Offensive or abusive utterance, gesture, or display, etc. \$250 or MA
- (3) Unreasonable noise, etc. \$150
- (4) Creation of hazardous or offensive condition \$250 or MA

2.35 ALCOHOLIC BEVERAGES AND CONTROLLED SUBSTANCES

(a) Alcoholic Beverage

(2) The following are prohibited:

	(i)	Sale or gift of alcohol to person below legal minimum age	
		Sale:	MA
		Gift:	\$250
	(ii)	Possession of alcohol by person below legal minimum age	\$250 or MA
(3)	(iii)	Consumption of alcohol in an area closed to drinking	\$150
(b)		Controlled Substances (Marijuana Only)	
	(1)	Delivery of controlled substance (<1 oz.)	MA
	(2)	Possession of controlled substance (<1 oz.)	\$250
(c)		Presence in a park while under the influence of alcohol, or controlled substance to a degree or that may endanger persons or property	\$250 or MA
2.36		<u>GAMBLING</u>	
	(a)	Gambling is prohibited	\$150
2.37		<u>NON-COMMERCIAL SOLICITING</u>	
		Soliciting gifts, money, goods or services is prohibited	\$150
2.38		<u>EXPLOSIVES</u>	
	(a)	Unauthorized use or possession of explosives	MA
	(b)	Unauthorized use or possession of fireworks	\$250 or MA
	(c)	Violation of terms and conditions of a permit is prohibited	\$250 or MA
2.50		<u>SPECIAL EVENTS</u>	
	(e)	Violation of terms and conditions of a permit is prohibited	\$250 or MA
2.51		<u>PUBLIC ASSEMBLIES, MEETINGS</u>	
	(a)	Public spectator attraction without permit	MA
	(h)	Persons engaged in activities covered under this section are prohibited from obstructing, impeding, or harassing park visitors	\$250 or MA

2.52 SALE OR DISTRIBUTION OF PRINTED MATTER

- | | | |
|-----|--|-------|
| (a) | Sale or distribution of printed matter without a permit is prohibited | \$100 |
| (h) | Persons engaged in activities covered under this section are prohibited from obstructing, impeding, or harassing park visitors | \$150 |

2.60 LIVESTOCK USE AND AGRICULTURE

- | | | |
|-----|---|-------------------------|
| (a) | The illegal or unauthorized herding, pasturing, or grazing of livestock is prohibited | \$350 + \$35/head or MA |
| (b) | Violation of terms and conditions | \$150 or MA |

2.61 RESIDING ON FEDERAL LANDS

- | | | |
|-----|---|-------------|
| (a) | Unauthorized residence on Federal lands | MA |
| (b) | Violation of permit is prohibited | \$150 or MA |

2.62 MEMORIALIZATION

- | | | |
|-----|---|-------|
| (a) | Memorialization is prohibited | \$150 |
| (b) | Scattering of human ashes is prohibited without a permit | \$150 |
| (c) | Violation of area designations and established conditions | \$150 |
| (d) | Violation of terms and conditions of a permit is prohibited | \$150 |

PART 3 – BOATING AND WATER USE ACTIVITIES

3.1 APPLICABLE REGULATIONS

- | | | |
|-----|--|---------------------|
| (a) | Title 14, U.S.C.; Title 33 CFR; Title 46 CFR; Title 49 CFR, and State laws and regulations shall apply | Appendix or CA Bail |
| | 33 CFR 175.15 PFD's insufficient number and size | \$100 |

3.2 NATIONAL PARK SERVICE DISTINCTIVE IDENTIFICATION

- | | | |
|-----|---|-------|
| (b) | Use of NPS identifying insignia is prohibited | \$100 |
|-----|---|-------|

3.4 ACCIDENTS

- (b) Failure to report incident to Superintendent \$150

3.5 INSPECTIONS

- (a) Non-compliance with safety equipment and operation \$100
(c) Violations of directions are prohibited \$150 or MA

3.6 PROHIBITED OPERATIONS

The following are prohibited:

- (a) Operating or allowing another to operate in a reckless or negligent manner likely to endanger person or property³ \$400 or MA
(b) Operating under the influence of alcohol or controlled substance MA
(c) Failure to observe posted regulations \$150
(d) Operating in excess of 5 MPH or creating a wake:
(1) In designated area \$150
(2) Within 100 feet of diver's marker, downed skier, or swimmer \$150
(e) Operating motorized vessel with 500 feet of swimming beach or operation in excess of 5 MPH in areas restricted to less than 500 feet passage, or creating wake \$250
(f) Allowing riding on gunwales, transom or over bow while operating in excess of 5 MPH \$150
(g) Attaching or interfering with navigational aid \$250
(h) Using a trailer to launch or recover at undesignated sites \$200 or MA
(i) Launching a motorized vessel at undesignated site \$200 or MA

³ A negative disposition under this CFR may result in an adverse reporting to California DMV equivalent to a reckless driving conviction under Vehicle Code §23103. The court should consider directing CVB to not report the conviction to California DMV.

	(j) Operating a propelled vessel on water not directly accessible by road	\$100
	(k) Launching or operating air boats	\$100
	(l) Operating in excess of designated size, length or width restrictions	\$100
3.7	<u>NOISE ABATEMENT</u>	
	Operating upon inland waters so as to exceed noise level of 82 decibels	\$200
3.20	<u>WATER SKIING</u>	
	(a) Towing in undesignated area	\$100
	(b) The following are prohibited:	
	(1) Towing between the hours of sunset and sunrise	\$250
	(2) Towing without approved flotation device	\$250
	(3) Towing without having lookout, other than operator	\$150
	(4) Towing within 500 feet of designated harbors, beaches, mooring areas, or within 100 feet of fisherman, swimmer, or diver's marker	\$250
3.21	<u>SWIMMING AND BATHING</u>	
	(a) The following are prohibited:	
	(1) Swimming or bathing in closed area	\$50
	(2) Swimming or bathing in areas of designated restrictions	\$50
	(3) Swimming from vessels which are underway	\$50
	(b) Violation of conditions of swimming beaches	\$50
3.22	<u>SURFING</u>	
	Surfing in designated swimming beach	\$50

3.23 SCUBA AND SNORKELING

The following are prohibited:

- (a) Scuba diving and snorkeling in swimming, docking or mooring areas \$50
- (b) Diving in waters open to vessels without a diver's flag \$50

PART 4 – VEHICLES AND TRAFFIC SAFETY

4.2 STATE LAW APPLICABLE

Appendix or
CA Bail

4.4 REPORT OF MOTOR VEHICLE ACCIDENT

- (c) Failure to comply with a reporting requirement specified in paragraph (a) or (b) of this section \$150

4.10 TRAVEL ON PARK ROADS AND DESIGNATED ROUTES

- (a) Operating a motor vehicle off road in undesignated areas \$250 or MA
- (c) (1) Operating a motor vehicle without pneumatic tires \$100
- (2) Operating a motor vehicle in a manner that causes unreasonable damage to the surface of a park road or route \$250 or MA
- (3) Operating a motor vehicle ½ hour before sunrise and ½ hour after sunset without proper lights \$150

4.11 LOAD, WEIGHT AND SIZE LIMITS

- (a) State load, weight and size limits applicable CA Bail
- (b) (1) Operating a vehicle that exceeds a load, weight or size limit CA Bail
- (2) Failing to obtain a permit when required \$150 or MA
- (3) Violating a term or condition of a permit \$150 or MA
- (4) Operating a motor vehicle with an auxiliary detachable side mirror that extends more than 10 inches beyond the side fender line except when the motor vehicles is towing a second vehicle \$100

REVISED: 03/01/2010

4.12	<u>FAILURE TO COMPLY WITH THE DIRECTIONS OF A TRAFFIC CONTROL DEVICE</u>	Parking Moving	\$25 \$150
4.13	<u>OBSTRUCTING TRAFFIC</u>		
	(a) Stopping or parking a vehicle upon a park road		\$150
	(b) Operating a vehicle so slowly as to interfere with the normal flow of traffic		\$150
4.14	<u>OPENED CONTAINER OF ALCOHOLIC BEVERAGE IN A VEHICLE</u>		\$250 or MA
4.15	<u>FAILURE TO USE SAFETY BELTS</u>		\$100
4.20	<u>RIGHT OF WAY TO PEDESTRIAN</u>		
	Failure to yield right of way		\$150
4.21	<u>SPEED LIMITS</u>		
	(c) Exceeding Speed Limits		
		1 - 15 mph	\$100
		16-25 mph	\$180
		26 or over	\$350
4.22	<u>UNSAFE OPERATION</u>		
	(b) (1) Operating a motor vehicle without due care ⁴		\$250 or MA
	(2) Operating a motor vehicle in a manner which unnecessarily causes its tires to squeal, skid or break free of the road surface		\$150
	(3) Failing to maintain that degree of control of a motor vehicle necessary to avoid danger to persons, property or wildlife		\$250 or MA
	(4) Operating a motor vehicle while allowing a person to ride:		
	(i) On or within any vehicle, trailer or other mode of conveyance towed behind the motor vehicle unless specifically designed for carrying passengers while being towed		\$150

⁴ A negative disposition under this CFR may result in an adverse reporting to California DMV equivalent to a reckless driving conviction under Vehicle Code §23103. The court should consider directing CVB to not report the conviction to California DMV.

(ii) On any exterior portion of the motor vehicle not designed or intended for the use of a passenger \$150

4.23 OPERATING UNDER THE INFLUENCE OF ALCOHOL OR DRUGS

(a) Operating a motor vehicle while:

(1) Under the influence of alcohol, or a drug, or drugs, or any combination thereof, to a degree that renders the operator incapable of safe operation MA

(2) The alcohol concentration in the operator's blood or breath is 0.08 grams or more of alcohol per 100 milliliters of blood or 0.08 grams or more of alcohol per 210 liters of breath MA

(c) Tests

(2) Refusal by an operator to submit to a test is prohibited and proof of refusal may be admissible in any related judicial proceeding MA

4.30 BICYCLES

(a) The use of a bicycle except on park roads, in parking areas and on routes designated for bicycle use \$50

(c) A person operating a bicycle is subject to all sections of this part that apply to an operator of a motor vehicle, except sections 4.4, 4.10, 4.11 and 4.14

(d) (1) Possessing a bicycle in a wilderness area established by Federal Statute \$100

(2) Operating a bicycle during periods of low visibility, without lights or reflector \$50

(3) Operating a bicycle abreast of another bicycle \$50

(4) Operating a bicycle while consuming an alcoholic beverage or carrying in hand an open container of an alcoholic beverage \$150

4.31 HITCHHIKING \$50

PART 5 – COMMERCIAL AND PRIVATE OPERATIONS

5.1	<u>ADVERTISING WITHOUT PERMIT</u>	\$150 or MA
5.2	<u>ALCOHOLIC BEVERAGES; SALE OF INTOXICANTS</u>	
	(a) Unlawful sale of alcohol (Business and Profession Code § 25658(a))	MA
	(b) Sale of alcohol on private lands: in Lassen Volcanic, Sequoia and Kings Canyon, and Yosemite National Parks without permit	MA
5.3	<u>ENGAGING IN BUSINESS WITHOUT PERMIT</u>	MA
5.4	<u>COMMERCIAL PASSENGER-CARRYING MOTOR VEHICLES</u>	
	(a) Commercial transportation (passenger-carrying motor vehicle) of passengers without permit	\$250 or MA
	(b) Oversized passenger-carrying vehicles	\$150
5.5	<u>COMMERCIAL PHOTOGRAPHY</u>	
	(a) Commercial television or motion pictures without permit	\$250 or MA
	(b) Commercial still photography without permit	\$250 or MA
5.6	<u>COMMERCIAL VEHICLES</u>	
	(b) Prohibited commercial use of park road	\$250 or MA
5.7	<u>CONSTRUCTION OF BUILDING OR OTHER FACILITIES IN PARK WITHOUT PERMIT</u>	MA
5.8	<u>DISCRIMINATION IN EMPLOYMENT PRACTICES</u>	
	(a) Unlawful discrimination	MA
	(b) Failure to post required notice	\$150
5.9	<u>DISCRIMINATION IN FURNISHING PUBLIC ACCOMMODATIONS AND TRANSPORTATION SERVICES</u>	
	(a) Unlawful discrimination	MA

(b)	Failure to post required notice	\$150
5.10	<u>EATING, DRINKING, OR LODGING ESTABLISHMENTS</u>	
(a)	Failure to obtain permit for sale of food or lodging on private lands in: Lassen Volcanic, Sequoia and Kings Canyon, and Yosemite National Parks	MA
5.13	<u>CREATION OF NUISANCE</u>	\$150 or MA
5.14	<u>UNLAWFUL PROSPECTING, MINING, AND MINERAL LEASING</u>	MA

PART 7 – SPECIAL REGULATIONS

7.8	<u>SEQUOIA AND KINGS CANYON</u>	
(a)	Dogs and cats prohibited on trails	\$75
(b)	Certain specified waters closed to fishing	\$300 or MA
(c)	Failure to comply with building and facility standards on privately owned lands	MA
(d)	Stock driveways designated	\$150
7.16	<u>YOSEMITE</u>	
(a)	Fishing	
(1)	Season & catch limit – State regulations apply	Appendix or CA Bail
(4)	Fishing from horseback	\$150
(5)	Gathering or securing grubs	\$100
(b)	Certain specified roads closed to public travel	\$150 or MA
(c)	Powerless flight without a permit	MA

- (e) Camping
 - (1) Camping in excess of designated limit \$50 or 3X Actual Fees whichever is greater
 - (2) Quiet hours shall be maintained between 10:00 PM and 6:00 AM \$150
- (h) Eating and drinking establishments MA
- (i) Motorboats prohibited on all lakes and streams \$250 or MA
- (j) Domestic water supplies MA
- (k) Certain specified waters closed to fishing \$300
- (l) Motor vehicles registration required (reduced to \$75 upon Proof of Correction) \$150

7.26 DEATH VALLEY

- (a) Mining MA
- (b) Use of water MA
- (c) Permits \$150 or MA
- (d) Filing of copies of mining locations required MA

7.91 WHISKEYTOWN UNIT, WHISKEYTOWN-SHASTA-TRINITY NATIONAL RECREATION AREA

- (a) Water Sanitation
 - (1) Marine toilets which permit discharge into water must be sealed \$250 or MA
 - (2) Toilets with holding tanks to be discharged only at designated sanitary pumping stations \$250 or MA
- (b) Overnight occupancy of a vessel prohibited \$150
- (c) Powerless flight without a permit MA
- (d) Gold panning

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| (2) | (i) | Panning in unauthorized areas | \$150 |
| (3) | (i) | Prohibited methods of panning, suction, crevice cleaner, screen separator, view box sluice box, rocker, dredge, etc. | \$150 or MA |
| | (ii) | Use of a toxic substance (Mercury) in panning | MA |
| | (iii) | Digging | \$150 or MA |
| | (iv) | Sale or commercial use | MA |

PART 11

11.2 UNAUTHORIZED USE OF N.P.S. ARROWHEAD AND PARKSCAPE SYMBOLS \$150

PART 71

71.12 UNLAWFUL USE OF GOLDEN EAGLE/GOLDEN AGE/GOLDEN ACCESS PASSPORT \$150 or MA

TITLE 36 – CODE OF FEDERAL REGULATIONS

ARMY CORPS OF ENGINEERS – SACRAMENTO DISTRICT

<u>SECTION</u>	<u>OFFENSE</u>	<u>BAIL</u>
<u>VEHICLES</u>		
327.2(b)	Parking in violation of posted restrictions	\$50
	Handicapped	\$150
	Impeding traffic	\$150 or MA
327.2(c)	Operation off roadways	\$150 or MA
327.2(d)	Operation not in accordance with posted regulations	\$150
327.2(e)	Careless, negligent, or reckless operation ⁵	\$400/MA
327.2(f)	Operation for other than ingress or egress	\$150
327.2(g)	Operation without proper and effective muffler	\$150
<u>VESSELS</u>		
327.3(b)	Placement or operation for fee or profit without permit	\$150
327.3(c)	Operation in prohibited or restricted area	\$150 or MA
327.3(d)	Careless, negligent, or reckless operation	\$400/MA
327.3(e)	Safety equipment not in compliance with boat safety requirements	\$150
327.3(f)	Use as habitation or residence	MA
327.3(g)	Careless, negligent, or reckless use of water skis	\$150
327.3(h)	Failure to securely moor at approved mooring facilities	\$150

⁵ A negative disposition under this CFR may result in an adverse reporting to California DMV equivalent to a reckless driving conviction under Vehicle Code §23103. The court should consider directing CVB to not report the conviction to California DMV.

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| 327.3(i) | Use of a vessel not in compliance with National Safe Boating Act | \$150 or MA |
| 327.3(j) | Operation without property and effective muffler | \$150 |

AIRCRAFT

- | | | |
|-------------|---|-------------|
| 327.4(b) | Operation other than at designated landing area | MA |
| 327.4(c) | Careless, negligent, or reckless operation | MA |
| 327.4(d) | Use of aircraft not in compliance with prescribed regulations and standards | \$150 or MA |
| 327.4(e) | Air delivery of person or thing without permit | MA |
| 327.4(f)(2) | Seaplane operation contrary to prohibition or restriction | \$250 or MA |
| 327.4(f)(3) | Seaplane operation contrary to marine rules of the road | \$250 or MA |
| 327.4(f)(4) | Failure to securely moor at approved mooring facilities | \$150 |
| 327.4(f)(5) | Commercial seaplane operation prohibited without permit | MA |
| 327.4(f)(6) | Seaplane operation between sunset and sunrise without adequate lighting | \$150 or MA |

SWIMMING

- | | | |
|----------|---|-------|
| 327.5(a) | Swimming, diving or snorkeling in prohibited area | \$50 |
| | Scuba diving in prohibited area | \$100 |
| 327.5(b) | Failure to display diving flag | \$50 |
| 327.5(c) | Diving, jumping from bridges, structures, etc. | \$150 |

PICNICKING

- | | | |
|-------|-------------------------------|------|
| 327.6 | Picnicking in prohibited area | \$50 |
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CAMPING

- | | | |
|----------|----------------------------|-------|
| 327.7(a) | Camping in prohibited area | \$150 |
|----------|----------------------------|-------|

327.7(b)	Camping in excess of 14 days	\$50 or 3X Actual Fees whichever is greater
327.7(c)	Reserving campsite without permit	\$50
327.7(d)	Digging, leveling or construction without permit	\$100 or MA
327.7(e)	Occupying reserved campsite without reservation	\$50 or 3X Actual Fees whichever is greater

HUNTING, FISHING, TRAPPING

327.8(a)	Hunting prohibited area	\$300 or MA
327.8(b)	Fishing in prohibited area	\$300 or MA
327.8(c)	Trapping in prohibited area	\$300 or MA

SANITATION

327.9(a)	Improper disposal of wastes generated on project	\$150 or MA
327.9(b)	Improper disposal of household or commercial waste	\$150 or MA
327.9(c)	Discharge of wastes onto project lands or waters	MA
327.9(d)	Failure to keep camp or picnic site free of litter	\$150 or MA
327.9(e)	Discharge of waste from vessel into project waters	MA

FIRES

327.10(a)	Improper transportation or storage of fuel	\$100
327.10(b)	Fire not confined to designated facility or left unattended	\$350
	Unattended or unconfined fire causing wildfire	MA
327.10(c)	Improper disposal of lighted material	\$150 or MA

CONTROL OF ANIMALS

327.11(a)	Unrestrained pet in prohibited area	\$50
	Animal noise unreasonably annoying people	\$75
	Abandonment of animals	\$75 or MA
327.11(b)	Failure to remove pet waste	\$75
327.11(c)	Livestock in recreation area without permit	\$150 or MA
327.11(d)	Unauthorized livestock on project land	\$150 + \$25/ animal/day
	Refusal to move unauthorized livestock	MA
327.11(g)	Wild, exotic, vicious aggressive pets or animals on project lands	\$100

RESTRICTIONS

327.12(a)	Failure to observe visiting hours	\$50
	Failure to observe closure or restrictions	\$150 or MA
327.12(b)	Failure to observe quiet hours	\$50
327.12(c)	Disorderly conduct	\$250 or MA
327.12(d)	Excessive noise	\$150 or MA
327.12(e)	Possession or consumption of alcohol in prohibited area	\$150
327.12(f)	Smoking in restricted area	\$50

EXPLOSIVES, FIREARMS, OTHER WEAPONS AND FIREWORKS

327.13(a)	Possession of loaded firearms or other weapons	\$250 or MA
327.13(b)	Possession or use of explosive devices, including fireworks without permit	\$250 or MA

PUBLIC PROPERTY

327.14(a)	Destruction, injury, removal or alteration	\$250 or MA
	Destruction, injury, removal or alteration - value over \$250	MA
327.14(b)	Cutting or removal of trees or wood	\$300 or MA

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327.14(c)	Gathering wood in prohibited area	\$100
327.14(d)	Use of metal detector in prohibited area	\$50

ABANDONMENT OF PERSONAL PROPERTY

327.15	Abandoned or unattended personal property	\$150 or MA
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LOST AND FOUND ARTICLES

327.16	Failure to turn in found articles	\$150
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ADVERTISEMENTS

327.17	Advertising without permit	\$150
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COMMERCIAL ACTIVITIES

327.18(a)	Engaging or soliciting business without permit	\$150 or MA
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327.18(b)	Failure to comply with lease, license or agreement	MA
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PERMITS

327.19	Failure or refusal to comply with permit terms	\$150 or MA
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UNAUTHORIZED STRUCTURES

327.20	Placing or constructing structure without permit	MA
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SPECIAL EVENTS

327.21(a)	Special event without permit	\$250 or MA
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327.21(b)	Charging fee without permit	\$250 or MA
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UNAUTHORIZED OCCUPATION

327.22(a)	Residential use without permit	MA
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327.22(b)	Agricultural use without permit	MA
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RECREATION USE FEE

327.23(b)	Failure to pay fee	\$50 or 3X Actual Fee, whichever is greater NTE \$100
327.23(c)	Failure to pay or properly display permit or pass	\$50 or 3X Actual Fee, whichever is greater
327.23(d)	Fraudulent use of Golden Age or Golden Access Pass	\$150 or MA

INTERFERENCE WITH GOVERNMENT EMPLOYEE

327.24(a)	Interference with force	MA
327.24(b)	Failure to comply with lawful order	\$250 or MA
327.26	State and local laws and ordinances shall apply	Appendix or CA Bail

BUREAU OF LAND MANAGEMENT

VIOLATIONS OF UNITED STATES CODE

<u>TITLE</u>	<u>SECTION</u>	<u>BAIL</u>
16USC433	American antiquities	\$250 or MA
16USC460(l)(6a)	Non-payment of camping fees	3 X Actual Fee or \$100; whichever is greater
16USC668	Taking or possession of eagles	MA
16USC607j(a)(1)	Hunting without land management stamp (a) Unlicensed	\$150 \$300
16USC670j(a)(2)	Violation of Habitat Management Plan Regulations	\$150 or MA
18USC111	Assault on federal employee	MA
18USC371	Conspiracy to commit offense or depredation	MA
18USC641	Theft of government property	\$250 or MA
18USC701	Possess official badges, I.D. cards or other insignia	MA
18USC1017	Government seals wrongly used	MA
18USC1361	Government property or contracts injured or commit depredation (Vandalism to government property)	\$250 or MA
18USC1362	Government communication system injured or destroyed	MA
18USC1501	Assault on process server	MA
18USC1510	Obstruct criminal investigation	MA
18USC1512	Tamper with witness, victim or informant	MA
18USC1513	Retaliate against same as above	MA

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18USC1852	Timber removed or transported	\$300 or MA
18USC1853	Trees cut or injured	\$300 or MA
18USC1854	Trees boxed for pitch or turpentine	\$300 or MA
18USC1855	Timber set afire	MA
18USC1856	Fires left unattended	\$350
18USC1857	Fences destroyed – livestock entering	\$250 or MA
18USC1858	Survey marks destroyed or removed	\$250 or MA
18USC1859	Surveying interrupted	MA
18USC2231	Assault or resist search warrant service or lawful search	MA
18USC2232	Destroy or remove property to prevent search/seizure	MA
43USC1061	Unlawful enclosure	\$250 or MA
43USC1063	Obstruction of transit over public lands	\$150 or MA

TITLE 43 – CODE OF FEDERAL REGULATIONS

BUREAU OF LAND MANAGEMENT

<u>SECTION</u>	<u>OFFENSE</u>	<u>BAIL</u>
REGULATIONS CONCERNING ARCHAEOLOGICAL RESOURCES/ALL PUBLIC LANDS		
7.4(a)	Excavate, remove, damage, alter, or deface any archeological resource	\$250 or MA
7.4(b)(1)	Selling, purchasing, exchanging, transporting or receiving archeological resources excavated or removed from public land when such excavation was unauthorized	MA
7.4(b)(2)	Selling, purchasing, exchanging, transporting or receiving archeological resources in violation of any provision, rule, regulation, or permit	MA
TRESPASS REGULATIONS/ALL PUBLIC LANDS		
2801.3(a)	Unauthorized use, occupancy or development	MA
2920.1-2(e)	Use public land without required authorization	\$150 or MA
SPECIAL RECREATION PERMITS FOR COMMERCIAL USE, COMPETITIVE EVENTS, ORGANIZED GROUPS, AND RECREATION USE IN SPECIAL AREAS/ ALL PUBLIC LANDS		
2932.57(a)(1)	Fail to obtain Recreation Permit or pay any required fee	\$250 or MA
2932.57(a)(2)	Violate stipulations of a Recreation Permit	\$150 or MA
2932.57(a)(3)	Participate in an unauthorized event or activity	\$150 or MA
2932.57(a)(4)	Fail to post permit for view by participants	\$150
2932.57(a)(5)	Fail to show copy of permit to BLM or participant	\$150
2932.57(a)(6)	Obstruct pedestrian/vehicle, harass visitor or other person with physical contact with a permit	\$250 or MA

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2932.57(a)(7)	Refuse to leave or disperse when directed to do so by LEO (with or without permit)	\$400 or MA
2933.33(a)(1)	Fail to obtain recreation permit or pay any required fee	\$250 or MA
2933.33(a)(2)	Fail to pay any fees, after first occupying a designated use facility	\$150
2933.22(a)(3)	Fail to display any required proof of payment of fees	\$50
2933.33(a)(4)	Possess, use, or sell to other any forged counterfeited, or altered document or instrument used as proof of or exemption from fee payment	\$250 or MA
2933.33(a)(5)	Use any document or instrument used as proof of or exemption from fee payment	\$250 or MA
2933.33(a)(6)	Falsely represent self as a person to whom BLM issued a document or instrument used as proof of or exemption from fee payment	MA

REGULATIONS CONCERNING MINING/ALL PUBLIC LANDS

3715.6(a)	Placing, constructing or using structures on mining claim	\$250 or MA
3715.6(b)	Beginning occupancy w/o approval	\$250 or MA
3715.6(c)	Beginning occupancy before consultation w/BLM (As required for activities that do not require a plan or do not come under casual use.)	\$250 or MA
3715.6(d)	Beginning occupancy w/o concurrence - nonconformance	\$250 or MA
3715.6(e)	Not complying with any order	\$150 or MA
3715.6(f)	Preventing/obstructing passage through public lands	\$250 or MA
3715.6(g)	Placing enclosures, gates or fences to exclude public	\$250 or MA
3715.6(h)	Causing a fire or safety hazard or public nuisance	\$350 or MA
3715.6(i)	Failure to comply with occupancy requirements	\$250 or MA
3715.6(j)	Conduct activities that are not reasonably incident to mining	\$250 or MA

3809.605(a)	Causing any unnecessary or undue degradation	\$250 or MA
3809.605(b)	Beginning operations before filing a notice or receiving approved plan of operation	\$250 or MA
3809.605(c)	Conducting operation outside scope of notice or approved plan of operation	\$250 or MA
3809.605(d)	Beginning operation prior to providing financial guarantee	MA
3809.605(e)	Failing to meet requirements of this subpart	\$250 or MA
3809.605(f)	Failing to comply with applicable performance standards	\$250 or MA
3809.605(g)	Failing to comply with enforcement actions	\$250 or MA
3809.605(h)	Abandoning any operation prior to reclamation	MA

TAYLOR GRAZING ACT/ALL PUBLIC LANDS

4140.1(b)(1)(i)	Allowing livestock or other animals on public land without permit or lease	\$350 or \$25 per head whichever is greater or MA
4140.1(b)(1)(ii)	Violation of terms or condition of permit or lease	\$250 or MA
4140.1(b)(1)(iii)	In area or at time different from that authorized	\$250 or MA
4140.1(b)(1)(iv)	Violation of counting, marking, or tagging required	\$250 or MA
4140.1(b)(2)	Disturbing range improvements	\$250 or MA
4140.1(b)(3)	Cutting, burning, spraying, destroying or removing vegetation	\$250 or MA
4140.1(b)(4)	Damaging or removing U.S. property	\$250 or MA
4140.1(b)(5)	Molesting livestock	MA
4140.1(b)(6)	Littering	\$150 or MA
4140.1(b)(7)	Interfering with lawful uses or users	\$250 or MA
4140.1(b)(8)	False statements related to grazing authorizations	\$250 or MA
4140.1(b)(9)	Failure to pay grazing fees	MA

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4140.1(b)(10)	Failure to reclaim and repair lands, property, resources	MA
4140.1(b)(11)	Failure to close gate during period of use	\$150 per incident

WILD HORSE & BURRO REGULATIONS/ALL PUBLIC LANDS

4770.1(a)	Injure or harass a wild horse or burro	\$500 or MA
4770.1(b)	Remove wild horse or burro from public lands	MA
4770.1(c)	Cause death or harassment of wild horse or burro	MA
4770.1(d)	Sell wild horse or burro	\$500 or MA
4770.1(e)	Use wild horse or burro for commercial exploitation	\$500 or MA
4770.1(f)	Inhumane treatment of wild horse or burro	MA
4770.1(g)	Violate a term or condition of agreement for wild horse or burro care	\$150 or MA
4770.1(h)	Brand a wild horse or burro	\$250
4770.1(i)	Remove or alter a freezemark on a wild horse or burro	\$250 or MA
4770.1(j)	Violate any other order, term, or condition related to wild horse or burro	\$150 or MA

TIMBER CUTTING/HARVESTING REGULATIONS/ALL PUBLIC LANDS

5462.2(b)(1)	Cutting, removing, or otherwise damaging any timber, tree, or other vegetative resource, except as authorized by a forest product sale contract, permit or Federal law or regulation	\$300 or MA
5462.2(b)(2)	Cutting any standing tree, under a permit or timber sale contract, before a BLM employee has marked it or has otherwise designated it for cutting	\$300 or MA
5462.2(b)(3)	Removing any timber or other vegetative resource cut under a permit or timber sale contract, except to a Place designated for scaling or measurement, or removing it from that place before it is scaled, measured, counted, or otherwise accounted for by a BLM employee	\$300 or MA

5462.2(b)(4)	Stamping, marking with paint, tagging, or otherwise identifying any tree or other vegetative resources on BLM-administered lands in a manner similar to that employed by BLM employees to mark or designate a tree or other vegetative resources for cutting, removal, or transportation	MA
5462.2(b)(5)	Transporting timber or other vegetative resources without a valid haul ticket that pertains to the material in question, except as authorized by Federal law or regulation	\$300 or MA
5462.2(b)(6)	Except as authorized by Federal law or regulation, purchasers or their designated representatives, while engaging in any activity connected with the harvest or removal of forest products, failing to have in their possession and/or failing to produce any required permit or forest product sale contract for inspection upon demand by a BLM employee or any official of a cooperating law enforcement agency acting within his or her designated authority as a sale inspector, administrator, contracting officer, or law enforcement officer	\$300 or MA
5462.2(b)(7)	Violating any state or local laws and ordinances relating to local permits, tagging, and transportation of timber, trees, or other vegetative resources	\$300 or MA
5462.2(b)(8)	Violating any of the provisions regulating export and substitution	\$300 or MA
5462.2(b)(9)	Obtaining any forest product sale contract or permit or taking any timber, trees, or other vegetative resources through falsifying, concealing, or covering up by any trick, scheme, or device a material fact, or making any false, fictitious, or fraudulent statement or entry, including altering any forest product sales contract or permit or using an unauthorized reproduction of any official load tag	MA
5462.2(b)(10)	Negligent or intentional destruction of or injury to any timber or other vegetative resource during operations under a forest product sale contract or permit	\$300 or MA
5511.4(b)(1)	Obtaining any free use permit or taking any timber, trees or other vegetative resources through falsifying, concealing, or covering up by any trick, scheme, or device a material fact, or making any false, fictitious, or fraudulent statements or representations, or making or using any false, fictitious or fraudulent statement or entry, including altering of any free use permit or using a reproduction or any official load tags	MA

5511.4(b)(2)	Using timber secured under a free use permit for an unauthorized purpose	\$300 or MA
5511.4(b)(3)	Violating any of the terms and conditions of a free use permit	\$300 or MA
5511.4(b)(4)	Exporting timber cut under a free use permit from the State in which it was cut	\$300 or MA
5511.4(b)(5)	The cutting of timber under a free use permit for sale, barter, speculation, or use by others than the permittee	\$300 or MA

WILDERNESS AREAS

6302.12	Violation of wilderness orders	\$150 or MA
6302.12(b)	Wilderness use without permit when required	\$50 or \$25/day whichever is greater or MA
6302.20(a)	Operate commercial enterprises in wilderness areas	MA
6302.20(b)	Build temporary or permanent roads in wilderness areas	MA
6302.20(c)	Build Aircraft landing strips, heliports, or helispots in wilderness areas	MA
6302.20(d)	Use of motorized equipment or vehicles in wilderness areas	\$400 or MA
6302.20(e)	Landing aircraft or dropping of materials, supplies or persons from aircraft in wilderness areas	MA
6302.20(f)	Build structures or installations in wilderness areas	MA
6302.20(g)	Cutting of trees in wilderness areas	\$300 or MA
6302.20(h)	Enter or use wilderness area without authorization	\$150 or MA
6302.20(I)	Engage or participate in competitive use	\$250 or MA
6302.20(k)	Violate any BLM regulation, authorization or order	\$150 or MA

RESEARCH NATURAL AREA REGULATIONS

8223.1(a)	Occupancy of research natural area	\$250 or MA
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8223.1(b)	Use contrary to purpose of research natural area	\$250 or MA
8223.1(c)	Non-destructive use only	\$250 or MA
VEHICLE OPERATION REGULATIONS/ALL PUBLIC LANDS		
8341.1(a)	ORV operation off designated areas and trails	\$150 or MA
8341.1(b)	Violate terms or conditions of designated order for areas and trails designated as limited use	\$150 or MA
8341.1(c)	ORV operation in closed area	\$150 or MA
8341.1(d)	Assimilation of California Vehicle Code	Appendix or CA Bail
8341.1(f)	(1) Reckless/negligent operation ⁶	\$400 or MA
	(2) Excess of established speed limits (38310)	
	1 - 15 mph	\$100
	16 - 25 mph	\$180
	26 mph or over	\$350
	(3) Under influence of drugs or alcohol	MA
	(4) Causing environmental damage	\$250 or MA
	(5) During night hours without headlights and taillights	\$150
8341.1(g)	ORV yield right-of-way	\$150
8343.1(a)	Brakes required	\$150
8343.1(b)	Muffler required	\$150
8343.1(c)	Spark arrester required where posted	\$150
	(1) During fire restrictions	\$350
8343.1(d)	Headlight and taillight standards for nighttime operation	\$150

⁶A negative disposition under this CFR may result in an adverse reporting to California DMV equivalent to a reckless driving conviction under Vehicle Code §23103. The court should consider directing CVB to not report the conviction to California DMV.

WILD AND SCENIC RIVER REGULATIONS

8351.2-1	Violate Wild and Scenic River Regulations Trinity/Klamath River	
	Camping in excess of 14 days per calendar year or camping in a closed area	\$100 or \$25/day whichever is greater
	Construct, maintain, occupy, or possess structure, building, improvement, roadway, fence, gate, or enclosure without authorization	\$250 or MA
	Build, maintain, attend, or use a fire without permit, or when prohibited, or leaving fire unattended, or violating Fire Prevention Orders	\$350
	Improper disposal of debris or waste	\$250 or MA
	Disorderly conduct	\$250 or MA
	Create a hazard or nuisance	\$250 or MA
	Graze livestock without authorization	\$250 or MA
	Failure to pay campground fees	\$ 50 or 3X actual fee whichever is greater
	Cut, damage, or remove vegetation without authorization	\$300 or MA
	Remove mineral materials in excess of 1000 pounds without authorization	MA
	Blade, dig, or excavate ground or river bottom with motorized equipment/without authorization	MA
	Destroy or remove government property	\$250 or MA
	Sign, post, or assert title to public lands	\$250 or MA
	Operate motor vehicle on lands, trails, or roadways close to motorized vehicles	\$150 or MA
	Fail to obtain or violate stipulations or conditions of	

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Special Use Permit	\$250 or MA
Leave unattended personal belongings longer than 10 days	\$150 or MA
Leaving vehicle longer than 10 days	\$300 or MA
Discharge firearm in unsafe manner, in unsafe direction, where prohibited, or at items which can shatter into sharp fragments	\$250 or MA

MISCELLANEOUS REGULATIONS/ALL PUBLIC LANDS

8364.1(d)	Violate closure or restriction order	\$150 or MA
8365.1-1(b)(1)	Dispose of waste materials in undesignated place	\$250 or MA
8365.1-1(b)(2)	Dispose of flammable materials in unauthorized fires or in undesignated place	\$250 or MA
8365.1-1(b)(3)	Drain or dump refuse or waste from trailer or other vehicle	\$250 or MA
8365.1-1(b)(4)	Dispose of household, commercial, or industrial waste or refuse	\$250 or MA
8365.1-1(b)(5)	Pollute or contaminate water supplies	\$500 or MA
8365.1-1(b)(6)	Use refuse container or disposal facility for use other than provided for	\$250 or MA
8365.1-2(a)	Camp longer than time limit	\$50 or \$25/day whichever is greater
8365.1-2(b)	Unattended personal belongings longer than 10 days	\$150 or MA
	Leaving vehicle longer than 10 days	\$300 or MA
8365.1-3	Speed in excess of posted limit or negligent manner	
	1 - 15 mph	\$100
	16 - 25 mph	\$180
	26 mph or over	\$350
8365.1-3(b)	Seatbelt use	\$100
8365.1-4(a)(1)	Making unreasonable noise	\$150 or MA

8365.1-4(a)(2) Creating a hazard or Nuisance	\$150 or MA
8365.1-4(a)(3) Refusing to disperse	MA
8365.1-4(a)(4) Resisting arrest or citation issuance, or interfering with a BLM employee/volunteer	\$400 or MA
8365.1-4(a)(5) Assaulting or committing a battery upon BLM employee/volunteer	MA
8365.1-4(a)(6) False report of an emergency situation	MA
8365.1-4(b)(1) Cultivation of controlled substance	MA
8365.1-4(b)(2) Possession of controlled substance	MA
8365.1-5(a)(1) Natural feature destruction/personal property destruction	\$250 or MA
8365.1-5(a)(2) Resource collection except as allowed or with permit	\$400 or MA
8365.1-5(a)(3) Use of explosive, motorized or mechanical devices for allowable collection	MA
8365.1-6 Supplementary Rules	
Possess open container of alcohol in vehicle	\$250
Drink alcohol while operating or riding in motorized vehicle	\$250
Under age (21) possession of alcohol	\$250 or MA
Violate state or county health and safety code	\$150 or MA
Illegal Fireworks	\$250 or MA
Bury Toxic Material	\$400 or MA
Fail to pay campground fees	\$50 or \$25/day whichever is greater
Fail to use safety belts by front seat occupants	\$100
Violate any other Supplementary Rule	\$150 or MA

DEVELOPED RECREATION AREA

8365.2-1(a)	Use water supply facilities for cleaning fish, game, or other materials	\$100 or MA
8365.2-1(b)	Deposit human wastes except in toilet or sewage facilities	\$250 or MA
8365.2-1(c)	Animals must be under restrictive control	\$50
8365.2-2(a)	Operating audio device in a manner that makes unreasonable noise	\$150 or MA
8365.2-2(b)	Operate or use a public address system	\$150
8365.2-2(c)	Construct or use an antenna or aerial	\$150
8365.2-3(a)	Failure to pay any required fee	\$50 or \$25/day whichever is greater
8365.2-3(b)	Camping equipment only in designated campsite in designated place	\$50 or MA
8365.2-3(c)	Unattended property in day use area for more than 24 hours	\$150
	More than 72 hours in other areas	\$250 or MA
	Unattended vehicle in day use area for more than 24 hours or for more than 72 hours in other areas	\$250 or MA
8365.2-3(d)	Fires in facilities provided only	\$350
8365.2-3(e)	Enter campground at night when not occupant or visitor	\$100
8365.2-3(f)	Use of closed facilities	\$150 or MA
8365.2-3(g)	Occupy with more persons than authorized	\$50 or \$25 per person whichever is greater
8365.2-3(h)	Move any campground equipment	\$150 or MA
8365.2-4	Vehicle operation in portions of recreation sites closed to such use	\$150 or MA
8365.2-5(a)	Discharge firearms, weapons, or fireworks	\$250 or MA

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8365.2-5(b)	Animals in swimming area	
	(a) Unleashed	\$50
	(b) When closed to animals	\$100 or MA

FIRE PREVENTION REGULATIONS

9212.1(a)	Lighting fire other than campfire	\$350 or MA
9212.1(b)	Fire tracer or incendiary	\$400 or MA
9212.1(c)	Burn vegetation except as campfire	\$350 or MA
9212.1(d)	Abandoning campfire	\$350
9212.1(e)	Campfire without proper clearance	\$150 or MA
9212.1(f)	Interfere with firefighters	MA
9212.1(g)	Enter fire closed area	\$150 or MA
9212.1(h)	Violate prevention orders	\$150 or MA

RANGE MANAGEMENT REGULATIONS/ALL PUBLIC LANDS

9264.1 (a)	Allow livestock or other privately owned or controlled animals to graze or be driven across lands w/o permit	\$350 or \$25/head or MA
9264.1 (b)	Install, use, maintain, modify, and/or remove range improvements w/o authorization	\$250 or MA
9264.1 (b)	Cut, burn, spray, destroy, or remove vegetation w/o authorization	\$250 or MA
9264.1 (d)	Damage or remove U.S. property w/o authorization	\$250 or MA
9264.1 (e)	Molest livestock	MA
9264.1 (f)	Littering	\$150 or MA
9264.1 (g)	Violate 43 CFR part 4700 concerning protection and management of wild free-roaming horses and burros	MA
9264.1 (h)	Violate Fed/State laws protecting natural and cultural resources or environment	Appendix or CA Bail

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9264.1 (i)	Interfere with lawful uses or users	\$250 or MA
9264.1 (j)	Knowingly and willfully make a false statement or representation in base property certification, grazing applications, and/or amendments thereto	\$250 or MA

RECREATION PROGRAM/ALL PUBLIC LANDS

9268.3(a)(2)(i)	Operate ORV only on those areas and trails designated as open.	\$150 or MA
9268.3(a)(2)(ii)	Operate ORV on those areas and trails designated as limited shall conform to all terms and conditions of designated orders.	\$150 or MA
9268.3(a)(2)(iii)	Operate ORV prohibited on those areas and trails closed to off-road vehicles.	\$150 or MA
9268.3(a)(2)(iv)	Operate ORV in violation of State laws and regulations relating to use, standards, registration, operation, and inspection of off-road vehicles.	Appendix or CA Bail
9268.3(a)(2)(v)	Operate ORV without a valid State operator’s license or learner’s permit.	\$300
9268.3(a)(2)(vi)	Individual supervising a non-licensed driver shall be responsible for the operation of the vehicle and shall be responsible for the actions of the driver.	Appendix or
9268.3(a)(2)(vii)(A)	Operate an ORV in a reckless, careless or negligent manner. ⁷	\$400
9268.3(a)(2)(vii)(B)	Operate an ORV in excess of established speed limit.	\$100
	16-25 mph	\$200
	26 mph or over	\$400
9268.3(a)(2)(vii)(C)	Operate an ORV while under the influence of alcohol, narcotics, or dangerous drugs.	\$500 or MA
9268.3(a)(2)(vii)(D)	Operate an ORV in a manner causing, or likely to cause significant, undue damage to or disturbance of the soil, wildlife, wildlife habitat, improvements, cultural or vegetative resources, or other authorized uses of the public lands.	\$250 or MA

⁷ A negative disposition under this CFR may result in an adverse reporting to California DMV equivalent to a reckless driving conviction under Vehicle Code §23103. The court should consider directing CVB to not report the conviction to California DMV.

9268.3(a)(2)(vii)(E)	Operate an ORV during night hours, ½ hour after sunset to ½ hour before sunrise, without lighted headlights and taillights.	\$150
9268.3(a)(2)(viii)	Failure of operator of an ORV to yield to the right-of-way to pedestrian, saddle horse(s), pack train(s), and animal drawn vehicles.	\$150
9268.3(a)(3)(i)	Operate an ORV without brakes in good working condition.	\$150
	During fire season	\$350
9268.3(a)(3)(ii)	Operate an ORV with a muffler cutout, bypass, or similar device, or producing excessive noise exceeding Environmental Protection Agency standards.	\$150
9268.3(a)(3)(iii)	Where posted or designated on a map, operate an ORV without a properly installed spark arrestor.	\$150
9268.3(a)(3)(iv)(A)	Operate an ORV with 2 or 3 wheels without a single headlight capable or illuminating an object 300 feet during the night hours.	\$150
	Operate an ORB with 4 or more wheels without two headlights capable of illuminating an object 300 feet during night hours.	\$150
9268.3(a)(3)(iv)(B)	Operate an ORV without taillights capable of being seen at a distance of 500 feet from the rear in the same number as headlights during night hours.	\$150
9268.3(c)(1)(i)	In a developed site/area no person shall intentionally or wantonly destroy, deface or remove any natural feature or plant.	\$250 or MA
9268.3(c)(1)(ii)	In a developed site/area no person shall intentionally or wantonly destroy, injure, deface, remove, or disturb in any manner any public building, sign, equipment, marker or other public property.	\$250 or MA
9268.3(c)(2)(i)	In undeveloped site/area no person shall intentionally or wantonly destroy, deface, injure, remove, or disturb any public building, sign, equipment, marker or other public property.	\$250 or MA
9268.3(c)(2)(ii)	In undeveloped site/area no person shall harvest or remove any vegetative or mineral resources or object of antiquity, historic, or scientific interest unless authorized.	\$250 or MA
9268.3(c)(2)(iii)	In undeveloped site/area no person shall appropriate, mutilate, deface, or destroy any natural feature, object of natural beauty, antiquity, or other public or private property.	\$250 or MA

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9268.3(c)(2)(iv)	In undeveloped site/area no person shall dig, remove, or destroy any tree or shrub.	\$250 or MA
9268.3(c)(2)(v)	In undeveloped site/area no person shall gather or collect renewable or nonrenewable resources for the purpose of sale or barter unless permitted or authorized.	\$250 or MA
9268.3(c)(2)(vi)	In undeveloped site/area no person shall drive or operate a motorized vehicle or conduct himself in a manner that may result in unnecessary frightening or chasing of people, domestic livestock, or wildlife.	\$400 or MA
9268.3(c)(2)(vii)	In undeveloped site/area no person shall use a motorized mechanical device or explosives for digging, scrapping or trenching for the purpose of collecting.	\$250 or MA
9268.3(d)	No person shall knowingly and willfully violate any closure order issued under 92.68.3(c)(2).	\$150 or MA

TITLE 39 – CODE OF FEDERAL REGULATIONS

UNITED STATES POSTAL SERVICE

<u>SECTION</u>	<u>OFFENSE</u>	<u>BAIL</u>
232.1	<u>CONDUCT ON POSTAL PROPERTY</u>	
(b)	<u>Recording Presence</u> Failure to sign register upon entering when required by Security Force or unauthorized entry during a period when property is closed to the public	\$150 or MA
(c)	<u>Preservation of Property</u>	
	Improperly disposing of rubbish and postal property	\$150 or MA
	Spitting on postal property	\$25
	Creating any hazard to persons or things	\$250 or MA
	Throwing any articles of any kind from a building	\$250 or MA
	Climbing upon the roof of any part of building	\$100 or MA
	Willfully destroying, damaging, or removing any property or part thereof	\$250 or MA
(d)	<u>Conformity with Signs and Directions</u>	
	Failure to comply with official signs of a prohibitory or directory nature	\$100
	Failure to comply with directions of Security Force personnel and other authorized individuals	\$150 or MA
(e)	<u>Disturbances</u>	
	Disorderly conduct	\$250 or MA
(f)	<u>Gambling</u>	
	Gambling for money or other personal property	\$150

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	Selling or purchasing of lottery tickets	\$150 or MA
(g)	<u>Alcoholic Beverages and Drugs</u>	
	Entering on postal premises under the influence of alcoholic beverages	\$250 or MA
	Operating a motor vehicle under the influence of alcoholic beverages	MA
	Entering on property under influence of drug defined as controlled substance	MA
	Selling or using controlled substance (except as medically approved)	MA
	Selling alcoholic beverage	MA
(h)	Soliciting, electioneering, collecting debts, vending, and advertising	\$150 or MA
(i)	Photographs for news, advertising, or commercial purposes	\$100 or MA
(j)	Dogs and other animals	\$50
(k)	<u>Vehicular and Pedestrian Traffic</u>	
	(1) Compliance with traffic signs and directions of officer	\$100 or MA
	(2) Blocking entrances, driveways or fire hydrants	\$150
	(3) Parking without authority	
	a. Unauthorized parking in designated handicapped area	\$250
	b. All other parking violations	\$25
(l)	Weapons and explosives	MA
(m)	Nondiscrimination	MA
(n)	Conduct disruptive of meetings of Board of Governors	\$250 or MA
(o)	Depositing or posting handbills, flyers, pamphlets, signs, posters, placards or other literature without authorization	\$50

TITLE 41 – CODE OF FEDERAL REGULATIONS

FEDERAL PROPERTY MANAGEMENT

<u>SECTION</u>	<u>OFFENSE</u>	<u>BAIL</u>
102-74.370	Failure to comply with inspection request	\$100 or MA
102-74.375	Unauthorized Admission to Property	\$150 or MA
102-74.380	Preservation of Property Violations	
102-74.380	(a) Improper disposal of rubbish	
	(1) Littering	\$150 or MA
	(2) Abandoning	\$250 or MA
	(b) Destruction or damage to property or theft of property	\$250 or MA
	(d) Creation of a hazard or throwing articles from or at a building	\$250 or MA
	(e) Climbing on statues, fountains or any part of buildings	\$100 or MA
102-74.385	Non-conformity with signs and directions	\$100 or MA
102-74.390	Disturbances	\$250 or MA
102-74.395	Gambling	\$150
102-74.400	Entering upon the property, under the influence of or using or possessing any narcotic drug	MA
102-74.405	Alcoholic Beverages and Narcotics Operation of a motor vehicle by a person under the influence of alcoholic beverages, or drugs	MA
102-74.410	Soliciting, vending, and debt collection	\$150 or MA
102-74.415	Distribution of handbills	\$50
102-74.420	Unauthorized photographs for news, advertising or commercial purposes	\$100 or MA

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102-74.425	Unauthorized dogs or other animals	
	(a) Unleashed	\$50
	(b) Other	\$100
102-74.430	Vehicular and pedestrian traffic	\$100
	(a) Careless driving ⁸	\$250 or MA
	(b) Failure to comply with directions	\$150 or MA
	(c)(d) Failure to comply with posted signs or directions	\$100 or MA
	(e) The blocking of entrances, driveways, walks, loading platforms, or fire hydrants	\$150
	(f) (1) All other parking offenses	\$25
	(2) Unauthorized parking in areas designated for the handicapped	\$250
102-74-440	Weapons and Explosives	MA

⁸ A negative disposition under this CFR may result in an adverse reporting to California DMV equivalent to a reckless driving conviction under Vehicle Code §23103. The court should consider directing CVB to not report the conviction to California DMV.

TITLE 38 – CODE OF FEDERAL REGULATIONS

VETERANS ADMINISTRATION PROPERTY

<u>SECTION</u>	<u>OFFENSE</u>	<u>BAIL</u>
1.218(b)	(1) Improper disposal of rubbish on property	\$200 or MA
	(2) Spitting on property	\$25
	(3) Throwing articles from a building or unauthorized climbing of a building	\$50 or MA
	(4) Willful destruction, damage or removal of Government property	\$500 or MA
	(5) Defacement, destruction, removal or disturbance of grave marker or headstone	\$500 or MA
	(6) Failure to comply with signs	\$50
	(7) Tampering with, removal or destruction of signs ⁹	\$150 or MA
	(8) Entry into closed areas	\$50 or MA
	(9) Unauthorized demonstration on VA property	\$250 or MA
	(10) Creating a disturbance during a burial ceremony	\$250 or MA
	(11) Disorderly conduct	\$250 or MA
	(12) Failure to depart premises	\$50 or MA
	(13) Unauthorized loitering or assembly	\$50 or MA
	(14) Gambling	\$200
	(15) Operation of a vehicle under the influence	\$500 or MA

⁹ The VA has some signs posted indicating the maximum fine for this section is \$100.00. The court should address this conflict on an individual basis.

(16)	Entering premises under the influence	\$200 or MA
(17)	Unauthorized use of alcoholic beverages or narcotic drugs	\$300 or MA
(18)	Unauthorized introduction of alcoholic beverages or narcotics	\$500 or MA
(19)	Unauthorized solicitation	\$50
(20)	Commercial soliciting or vending	\$50 or MA
(21)	Distribution of pamphlets, handbills and flyers	\$25
(22)	Display of placards or posting of materials on property	\$25
(23)	Unauthorized photography on premises	\$50
(24)	Failure to comply with traffic directions of VA police	\$25
(25)	Parking in spaces posted for disabled persons	\$50
(26)	Parking in no-parking areas	\$25
(27)	Parking in emergency vehicle spaces	\$50
(28)	Parking within an intersection or blocking lane	\$25
(29)	Parking in spaces posted as reserved.	\$15
(30)	Failing to come to a complete stop at a STOP sign	\$25
(31)	Failing to yield to a pedestrian	\$25
(32)	Driving in the wrong direction	\$25
(33)	Operation of a vehicle in a reckless or unsafe manner ¹⁰	\$100 or MA

¹⁰ A negative disposition under this CFR may result in an adverse reporting to California DMV equivalent to a reckless driving conviction under Vehicle Code §23103. The court should consider directing CVB to not report the conviction to California DMV.

(34)	Exceeding posted speed limits	Up to 10 mph	\$25
		Up to 20 mph	\$50
		Over 20 mph	\$100
(35)	Creating excessive noise		\$50 or MA
(36)	Failure to yield the right of way		\$50
(37)	Possession of firearms		\$500 or MA
(38)	Introduction or possession of explosives		\$500 or MA
(39)	Possession of knives which exceed a blade length of 3 inches; switchblade knives; hand-held weapons; or brass knuckles		\$300 or MA
(40)	The unauthorized possession of incapacitating liquid or gas-emitting weapons		\$200 or MA
(41)	Unauthorized possession, manufacture, or use of keys or barrier card-type keys to rooms or areas on the property		\$200 or MA
(42)	Opening, or attempted opening, of locks or card-operated barrier mechanisms on property		\$500 or MA
(43)	Soliciting for prostitution		\$250 or MA
(44)	Any unlawful sexual activity		\$250 or MA
(45)	Jogging, bicycling or any recreation physical activity on cemetery grounds		\$50

TITLE 36 – CODE OF FEDERAL REGULATIONS

FOREST SERVICE

SUBPART A – GENERAL PROHIBITIONS – PART 261 PROHIBITIONS

<u>SECTION</u>	<u>OFFENSE</u>	<u>BAIL</u>
261.3	<u>INTERFERING WITH OR GIVING FALSE REPORT TO A FOREST OFFICER</u>	
	(a) Threatening, resisting, intimidating, or interfering with any Forest Officer engaged in or on account of the performance of his official duties in the protection, improvement, or administration of the National Forest System is prohibited	\$250 or MA
	(b) Giving any false, fictitious or fraudulent report or other information to any Forest Officer engaged in or on account of the performance of his official duties knowing that such report or other information contains false, fictitious or fraudulent statement or entry	\$250 or MA
	(c) Threatening, intimidating, or intentionally interfering with any forest officer, volunteer, or human resource program enrollee while engaging in, or on account of, administration of the National Forest System or other duties as assigned by the Forest Service	\$250 or MA
261.4	<u>DISORDERLY CONDUCT</u>	
	The following are prohibited:	
	(a) Engaging in fighting	\$250 or MA
	(b) Addressing any offensive, derisive, or annoying communication to any other person who is lawfully present when such communication has a direct tendency to cause acts of violence by the person to whom, individually, the remark is addressed	\$250 or MA
	(c) Make statements or other actions directed toward inciting or producing imminent lawless action and likely to incite or produce such action	\$250 or MA

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- (d) Causing public inconvenience, annoyance or alarm by making unreasonably loud noise \$250 or MA

261.5

FIRE

The following are prohibited:

- (a) Carelessly or negligently throwing or placing any ignited substance or other substance that may cause a fire \$350
- (b) Firing any tracer bullet or incendiary ammunition \$400 or MA
- (c) Causing timber, trees, slash, brush or grass to burn except as authorized by permit \$350 or MA
- (d) Leaving a fire without completely extinguishing it \$350
- (e) Allowing a fire to escape from control \$350 or MA
- (f) Building, attending, maintaining, or using a campfire without removing all flammable material from around the campfire adequate to prevent its escape \$150

261.6

TIMBER AND OTHER FOREST PRODUCTS

The following are prohibited:

- (a) Cutting or otherwise damaging any timber, tree or other forest product, except as authorized by special use authorization, timber sale contract, Federal law or regulation \$300 or MA
- (b) Cutting any standing tree, under permit or timber sale contract, before a Forest Officer has marked it or has otherwise designated it for cutting \$300 or MA
- (c) Removing any timber or other forest product out under permit or timber sale contract, except to a place designated for scaling, or removing it from that place before it is scaled, measured, counted, or otherwise accounted for by a Forest Officer \$300 or MA

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|-----|--|-------------|
| (d) | Stamping, marking with paint, or otherwise identifying any tree or other forest product in a manner similar to that employed by Forest Officers to mark or designate a tree or any other forest product for cutting or removal | MA |
| (e) | Loading, removing or hauling timber or other forest product acquired under any permit or timber sale contract unless such product is identified as required in such permit or contract | \$300 or MA |
| (f) | Selling or exchanging any timber or other forest product obtained under free use pursuant to Section 223.1-223.11 | \$300 |
| (g) | Violating any timber export or substitution restriction in Section 223.100-223.164 | MA |
| (h) | Removing any timber, tree, or other forest product, except as authorized by special use authorization, timber sale contract, Federal law or regulation | \$300 or MA |
| (i) | Violating the Forest Resources Conservation and Shortage Relieve Act of 1990 (16 U.S.C. 620, et seq.) Or its implementing regulations at 36 CFR 223.185-223.203 | MA |

261.7

LIVESTOCK

The following are prohibited:

- | | | |
|-----|--|---|
| (a) | Placing or allowing unauthorized livestock to enter or be in a National Forest System or other lands under Forest Service control | \$350 or \$35/head whichever is greater or MA |
| (b) | Not removing unauthorized livestock from the National Forest System or other lands under Forest Service Control when requested by a Forest Officer | \$350 or \$35/head whichever is greater or MA |
| (c) | Failing to re-close any gate or other entry | \$50 per incident |
| (d) | Molesting, injuring, removing, or releasing any livestock impounded under Section 262.10 while in the custody of the Forest Service or its authorized agents | MA |

FISH AND WILDLIFE

The following are prohibited to the extent Federal or State law is violated:

- | | | |
|-----|--|------------------------|
| (a) | Hunting, trapping, fishing, catching, molesting, killing or having in possession any kind of wild animal, bird or fish, or taking the eggs of any such bird. | Appendix or
CA Bail |
| | (1) Hunting/fishing without license | \$300 |
| | (2) Hunting/fishing without license in possession
(Proof of correction to officer or court) | \$100 |
| (b) | Possessing a firearm or other implement designed to discharge a missile capable of destroying animal life | \$250 or MA |
| (c) | Possessing equipment which could be used for hunting, fishing, or trapping | \$250 or MA |
| (d) | Possessing a dog not on a leash or otherwise confined | \$50 |
| (e) | Curtail the free movement of any animal or plant life into or out of a cave, except as authorized to protect a cave resource | \$400 or MA |

PROPERTY

The following are prohibited:

- | | | |
|-----|---|-------------|
| (a) | Damaging any natural feature or other property of the United States | \$250 or MA |
| (b) | Removing any natural feature or other property of the United States | \$250 or MA |
| (c) | Damaging any plant that is classified as a threatened, endangered, sensitive, rare, or unique species | \$250 or MA |
| (d) | Removing any plant that is classified as a threatened, endangered, sensitive, rare, or unique species | \$250 or MA |
| (e) | Entering any building, structure, or enclosed area owned or controlled by the United States when such building, structure, or enclosed area is not open to the public | \$150 or MA |

- (f) Using any pesticide, except for personal use, or for an insect repellent, or as provided by special-use authorization for other minor uses \$150 or MA
- (g) Digging in, excavating, disturbing, injuring, destroying or in any way damaging any prehistoric, historic or archeological resource, structure, site, artifact or property \$250 or MA
- (h) Removing any prehistoric, historic, or archeological resource, structure, site, artifact or property \$250 or MA
- (i) Excavating, damaging, or removing any vertebrate fossil or removing any paleontological resource for commercial purposes without a special use authorization MA
- (j) Excavating, damaging, or removing any cave resource from a cave without special use authorization, or removing any cave resource for commercial purposes MA

261.10

OCCUPANCY AND USE

The following are prohibited:

- (a) Constructing, placing, or maintaining any kind of road, trail, structure, fence, enclosure, communication equipment, or other improvement on National Forest System land or facilities without a special-use authorization, contract, or approved operating plan \$250 or MA
- (b) Taking possession of, occupying, or otherwise using National Forest System lands for residential purposes without a special-use authorization or as otherwise authorized by Federal law or regulation \$150 or MA
- (c) Selling or offering for sale any merchandise, conducting any kind of work activity or service unless authorized by Federal law, regulation, or special-use authorization \$200 or MA
- (d) Discharging a firearm or any other implement capable of taking human life, causing injury, or damaging property:
 - (1) In or within 150 yards of a residence, building, campsite, developed recreation site or occupied area or \$400 or MA

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|-----|--|-------------|
| (2) | Across or on a National Forest System road or a body of water adjacent thereto, or in any manner or place whereby any person or property is exposed to injury or damage as a result of such discharge | \$400 or MA |
| (3) | Into or within any cave | MA |
| (e) | Abandoning any personal property | \$300 or MA |
| (f) | Placing a vehicle or other object in such a manner that it is an impediment or hazard to the safety or convenience of any person | \$150 or MA |
| (g) | Commercial distribution of printed material without special use authorization | \$150 |
| (h) | When commercially distributing printed material, delaying halting, or preventing administrative use of an area by the Forest service or other scheduled or existing uses or activities on National Forest System lands; misrepresenting the purposes or affiliations of those selling or distributing the material; or misrepresenting the availability of material without cost | \$250 or MA |
| (i) | Operating or using in or near a campsite, developed recreation site, or over an adjacent body of water without a permit, any device which produces noise, such as a radio, television, musical instrument, motor or engine in such a manner and at such a time so as to unreasonably disturb any person | \$150 |
| (j) | Operating or using a public address system, whether fixed, portable, or vehicle mounted, in or near a campsite, developed recreation site, or over an adjacent body of water without special-use authorization | \$150 |
| (k) | Use or occupancy of National Forest System land or facilities without special-use authorization, when such authorization is required | \$150 or MA |
| (l) | Violating any term or condition of a special-use authorization contract or approved operating plan | \$150 or MA |

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- (m) Failing to stop a vehicle when directed to do so by a Forest Officer \$250 or MA
- (n) Failing to pay any special-use fee or other charges \$150 or MA
- (o) Discharging or igniting a firework, or explosive into or within any cave MA

261.11

SANITATION

The following are prohibited:

- (a) Depositing in any toilet, toilet vault, or plumbing fixture any substance which could damage or interfere with the operation or maintenance of the fixture \$150 or MA
- (b) Possessing or leaving refuse, debris, or litter in an exposed or unsanitary condition \$150 or MA
- (c) Placing in or near a stream, lake, or other water any substance which does or may pollute a stream, lake, or other water \$250 or MA
- (d) Failing to dispose of all garbage, including any paper, can, bottle, sewage, waste water or material, or rubbish either by removal from the site or area, or by depositing it into receptacles or at places provided for such purposes \$150 or MA
- (e) Dumping of any refuse, debris, trash or litter brought as such from private property or from land occupied under permit, except, where a container, dump or similar facility has been provided and is identified as such, to receive trash generated from private lands or lands occupied under permit \$300 or MA

261.12

NATIONAL FOREST SYSTEM ROADS AND TRAILS

The following are prohibited:

- (a) Violating the load, weight, height, length or width limitations prescribed by State law, except by special-use authorization, or written agreement, or by order issued under Section 261.54 of this Chapter (California Vehicle Code §§ 35100-35581.50) \$250 or CA Bail whichever is greater

- (b) Failing to have a vehicle weighed at Forest Service weighing station, if required by sign \$150
- (c) Damaging and leaving in a damaged condition any such road, trail, or segment thereof \$250 or MA
- (d) Blocking, restricting, or otherwise interfering with the use of a road, trail or gate \$250 or MA

261.13 MOTOR VEHICLE USE

It is prohibited to possess or operate a motor vehicle on National Forest lands other than in accordance with designations. \$150 or MA

261.14 USE BY OVER-SNOW VEHICLES

It is prohibited to possess or operate an over-snow vehicle on National Forest System lands in violation of a restriction or prohibition \$250 or MA

261.15 USE OF VEHICLES OFF ROADS

It is prohibited to operate any vehicles off National Forest System, State or County roads:

- (a) Without a valid license as required by State law Appendix or CA Bail
- (b) Without an operable braking system \$150
- (c) From one-half hour after sunset to one-half hour before sunrise unless equipped with working head and tail lights \$150
- (d) In violation of any applicable noise emission standard established by any Federal or State agency \$150
- (e) While under the influence of alcohol or other drug MA
- (f) Creating excessive or unusual smoke \$150

- (g) Carelessly, recklessly, or without regard for the safety of any person, or in a manner that endangers, or is likely to endanger, any person or property¹¹ \$400 or MA
- (h) In a manner which damages or unreasonably disturbs the land, wildlife, or vegetative resources \$250 or MA
- (i) In violation of State law established for vehicles used off roads Appendix or CA Bail

261.16

DEVELOPED RECREATION SITES

The following are prohibited:

- (a) Occupying any portion of the site for other than recreation purposes \$100 or MA
- (b) Building, attending, maintaining, or using a fire outside a fire ring provided by the Forest Service for such purposes or outside of a stove, grill or fireplace \$150 or MA
- (c) Cleaning, or washing any Personal property, fish, animal, or food, or bathing or washing at a hydrant or water faucet not provided for that purpose \$100
- (d) Discharging or igniting a firecracker, rocket or other firework, or explosive \$250 or MA
- (e) Occupying between 10:00 p.m. and 6:00 a.m. a place designated for day use only \$100
- (f) Failing to remove all camping equipment or personal property when vacating the area or site \$150 or MA
- (g) Placing, maintaining, or using camping equipment except in a place specifically designated or provided for such equipment \$150 or MA

¹¹ A negative disposition under this CFR may result in an adverse reporting to California DMV equivalent to a reckless driving conviction under Vehicle Code §23103. The court should consider directing CVB to not report the conviction to California DMV.

- | | | |
|-----|---|--------------------|
| (h) | Without permission, failing to have at least one person occupy a camping area during the first night after camping equipment has been set up | \$100 per day |
| (i) | Leaving camping equipment unattended for more than 24 hours without permission | \$50 per day or MA |
| (j) | Bringing in or possessing an animal, other than a seeing eye dog, unless it is crated, caged, or upon a leash not longer than six feet, or otherwise under physical restrictive control | \$50 |
| (k) | Bringing in or possessing in a swimming area an animal, other than a seeing eye dog | \$50 |
| (l) | Bringing in or possessing a saddle, pack, or draft animal except as authorized by posted instructions | \$100 or MA |
| (m) | Operating or parking a motor vehicle or trailer except in places developed or designated for this purpose | |
| | Parking | \$25 |
| | Operating | \$100 |
| (n) | Operating a bicycle, motorbike, or motorcycle on a trail unless designated for this use | |
| | Non-motorized: | \$50 |
| | Motorized Vehicle | \$150 |
| (o) | Operating a motorbike, motorcycle, or other motor vehicle for any purpose other than entering or leaving the site | \$150 |
| (p) | Depositing any body waste except into receptacles provided for that purpose | \$150 or MA |

261.17

ADMISSION, RECREATION USE AND SPECIAL RECREATION PERMIT FEES

Failing to pay any fee established for admission or entrance to or use of a site, facility, equipment or service furnished by the United States is prohibited.	\$50 or 3 X Actual Fee (whichever is greater)NTE \$100
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261.18 NATIONAL FOREST WILDERNESS

The following are prohibited:

- (a) Possessing or using a motor vehicle, motorboat, or motorized equipment except as authorized by Federal law or regulation \$400 or MA
- (b) Possessing or using a hang glider or bicycle
Bicycle: \$100
Hang glider: \$300
- (c) Landing of aircraft, or dropping or picking up any material, supplies, or person by means of aircraft, including a helicopter MA

261.20 PACIFIC CREST NATIONAL SCENIC TRAIL

It is prohibited to use a motorized vehicle on the Pacific Crest National Scenic Trail without a special-use authorization \$400 or MA

261.21 NATIONAL FOREST PRIMITIVE AREAS

The following are prohibited in any area classified as a National Forest Primitive Area on September 3, 1964:

- (a) Landing of aircraft or using a motor boat, unless such use had become well established before September 3, 1964 \$400 or MA
- (b) Possessing or using a motor or motorized equipment, except small battery powered, hand-held devices, such as cameras, shavers, flashlights, and Geiger-counters \$400 or MA

261.22 UNAUTHORIZED USE OF “SMOKEY BEAR” AND “WOODSY OWL” SYMBOL

- (a) Manufacture, importation, reproduction, or use of “Smokey Bear” except as provided under Section 271.2, 271.3, or 271.4 is prohibited \$100 or MA
- (b) Manufacture, importation, reproduction, or use of “Woodsy Owl” except as provided under Section 271.2, 271.3, or 271.4 is prohibited \$100 or MA

261.23

WILD FREE-ROAMING HORSES AND BURROS

- | | | |
|-----|---|-------------|
| (a) | Removing or attempting to remove a wild free-roaming horse or burro from the National Forest System unless authorized by law or regulation | \$500 or MA |
| (b) | Causing or allowing the inhumane treatment or harassment of a free-roaming horse or burro | MA |
| (c) | Removing or attempting to remove, alter, or destroy any official mark used to identify a wild horse or burro or its remains unless authorized or permitted by law or regulation | \$250 or MA |
| (d) | Violating any terms or conditions specified in a care and maintenance agreement or permit | \$250 or MA |

SUBPART B – PROHIBITIONS IN AREAS DESIGNATED BY ORDER

261.52

FIRE

When provided by an order, the following are prohibited:

- | | | |
|-----|---|-------------|
| (a) | Building, maintaining, attending or using a fire, campfire, or stove fire | \$350 |
| (b) | Using an explosive | MA |
| (c) | Smoking | \$50 |
| (d) | Smoking outside vehicle or building | \$50 |
| (e) | Going into or being upon an area | \$100 or MA |
| (f) | Possessing, discharging or using any kind of firework or other pyrotechnic device | \$250 or MA |
| (g) | Entering an area without any firefighting tool prescribed by the order | \$100 |
| (h) | Operating an internal combustion engine | \$150 or MA |

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- (i) Welding, or operating an acetylene or other torch with open flame \$350
- (j) Operating or using any internal or external combustion engine without a spark arresting device properly installed, or maintained in an effective working order \$150
During fire restrictions \$250 or MA
- (k) Violating any state law specified in the order concerning burning, fires or which is for the purpose of preventing, or restricting the spread of fires Appendix or CA Bail

261.53

SPECIAL CLOSURE

When provided in an order, it is prohibited to go into or be upon any area which is closed for the protection of:

- (a) Threatened, endangered, rare, unique, or vanishing species of plants, animals, birds or fish \$150 or MA
- (b) Special biological communities \$150 or MA
- (c) Objects or areas of historical, archeological, geological or paleontological interest authorization \$150 or MA
- (d) Scientific experiments or investigations \$150 or MA
- (e) Public health or safety \$150 or MA
- (f) Property \$150 or MA

261.54

FOREST DEVELOPMENT ROADS

When provided by an order, the following are prohibited:

- (a) Using any type of vehicle prohibited by the order \$150 or MA
- (b) Use by any type of traffic prohibited by the order \$150 or MA
- (c) Using a road for commercial hauling without a permit or written authorization \$250 or MA

- (d) Operating a vehicle in violation of the speed, load, weight, height, length, width, or other limitations specified by the order \$250 or CA Bail whichever is greater
- (e) Being on the road \$150 or MA
- (f) Operating a vehicle carelessly, recklessly, or without regard for the rights or safety of other persons or in a manner or a speed that would endanger or be likely to endanger any person or property¹² \$400 or MA

261.55

FOREST DEVELOPMENT TRAILS

When provided by an order, the following are prohibited:

- (a) Being on a trail \$150 or MA
- (b) Using any type of vehicle prohibited by the order \$150 or MA
- (c) Use by any type of traffic or mode of transportation prohibited by the order \$150 or MA
- (d) Operating a vehicle in violation of width, weight, height, length, or other limitations specified by the order \$250 or CA Bail whichever is greater
- (e) Shortcutting a switchback in a trail \$50

261.56

USE OF VEHICLES OFF NATIONAL FOREST SYSTEM ROADS

When provided by an order, it is prohibited to possess or use a vehicle off forest development roads

\$150 or MA

261.57

NATIONAL FOREST WILDERNESS

When provided by an order the following are prohibited:

- (a) Entering or being in the area \$150 or MA

¹² A negative disposition under this CFR may result in an adverse reporting to California DMV equivalent to a reckless driving conviction under Vehicle Code §23103. The court should consider directing CVB to not report the conviction to California DMV.

- | | | |
|-----|---|--|
| (b) | Possessing camping or pack-out fitting equipment, as specified in the order | \$150 or MA |
| (c) | Possessing a firearm or firework | \$250 or MA |
| (d) | Possessing any non-burnable food or beverage containers, including deposit bottles, except for non-burnable containers designed and intended for repeated use | \$50 |
| (e) | Grazing | \$350 or \$25/head or MA |
| (f) | Storing equipment, personal property or supplies | \$50 |
| (g) | Disposing of debris, garbage, or other waste | \$150 or MA |
| (h) | Possessing or using a bicycle, wagon, cart, or other vehicle | Non-motorized: \$200
Motorized: \$400 or MA |

261.58

OCCUPANCY AND USE

When provided by an order, the following are prohibited:

- | | | |
|-----|--|--|
| (a) | Camping for a period longer than allowed by the order | \$100 or \$25 per day over stay limit whichever is greater |
| (b) | Entering or using a developed recreation site or portion thereof | \$100 |
| (c) | Entering or remaining in a campground during night periods prescribed in the order except for persons who are occupying such campgrounds | \$75 |
| (d) | Occupying a developed recreation site with prohibited camping equipment prescribed by the order | \$75 or MA |
| (e) | Camping | \$100 or \$25 per day over stay limit whichever is greater |

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(f)	Using a campsite or other area described in the order by more than the number of users allowed by the order	\$50 per person
(g)	Parking or leaving a vehicle in violation of posted instructions	\$25
	Handicapped	\$150
(h)	Parking or leaving vehicle outside a parking space assigned to one's own camp unit	\$25
(i)	Possessing, parking or leaving more than two vehicles, except motorcycles or bicycles per camp unit	\$25
(j)	Being publicly nude	\$100
(k)	Entering or being in a body of water	\$50
(l)	Being in the area after sundown or before sunrise	\$50
(m)	Discharging a firearm, air, or gas gun	\$250 or MA
(n)	Possessing or operating a motorboat	\$100 or MA
(o)	Water skiing	\$100
(p)	Storing or leaving a boat or raft	\$100
(q)	Operating any water craft in excess of posted speed limit	\$150 or MA
(r)	Launching a boat except at a designated launching ramp	\$150 or MA
(s)	Possessing, storing or transporting any bird, fish or other animal or parts thereof, as specified in the order	\$50 or MA
(t)	Possessing, storing or transporting any part of a tree or other plant, as specified in the order	\$50
(u)	Being in the area between 10:00 p.m. and 6:00 a.m. except a person who is camping or who is visiting a person camping in that area	\$50
(v)	Hunting or fishing	\$300 or MA

(w)	Possessing or transporting any motor or mechanical device capable of propelling a water craft through water by any means	\$50
(x)	Using any wheel, roller, or other mechanical device for the overland transportation of any water craft	\$50
(y)	Landing of aircraft, or dropping or picking up any material, supplies, or person by means of an aircraft, including a helicopter	MA
(z)	Entering or being on lands or waters within the boundaries of a component of the National Wild and Scenic Rivers System	\$150 or MA
(aa)	Riding, hitching, tethering or hobbling a horse or other saddle or pack animal in violation of posted instructions	\$150
(bb)	Possessing a beverage which is defined as an alcoholic beverage by State law	\$150
	Underage	\$250 or MA
(cc)	Possessing or storing any food or refuse, as specified in the order	\$50
(dd)	Reserved	
(ee)	Depositing any body waste in caves except into receptacles provided for that purpose	MA

SUBPART C – PROHIBITIONS IN REGIONS

261.75 REGULATIONS APPLICABLE TO REGION 5, CALIFORNIA REGION, AS DESCRIBED IN § 200.2

(b)	Prohibitions	
(1)	Possessing or using motorized equipment in the wild river zone of the Middle Ford of the Feather River, except on the Stag Point Trail or the Cleghorn Bar Trail is prohibited	\$250 or MA

UNITED STATES DEPARTMENT OF JUSTICE

IMMIGRATION AND NATURALIZATION SERVICE

<u>TITLE/SECTION</u>	<u>OFFENSE</u>	<u>BAIL/COLLATERAL</u>
8 USC 1304(c)	Failure to apply for alien registration	\$250 or MA
8 USC 1304(e)	Failure to carry proof of alien registration Proof of correction	\$250 \$50
8 USC 1306(a)	Failure to be fingerprinted	\$250 or MA
8 USC 1306(b)	Failure to report address	\$200
8 USC 1306(c)	Fraudulent statement of an alien	MA
8 USC 1325(a)	Illegal entry of an alien into the United States	\$500 or MA
8 USC 1325(a)	Aiding and abetting an alien to elude inspection	\$500
18 USC 111	Assaulting, resisting or impeding	\$400 or MA
18 USC 371	Conspiracy to commit offense or to defraud United States	MA
18 USC 701	Official badges, identification cards, other insignia	\$500 or MA
18 USC 1028(a)(6)	Possession of false identification document	\$500 or MA
21 USC 844(a)	Possession of a controlled substance	MA

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UNITED STATES FISH AND WILDLIFE SERVICE

DEPARTMENT OF INTERIOR

WILDLIFE/PROPERTY FORFEITURE ORDER

Unless otherwise specifically ordered by a United States Court, any wildlife or property which has been seized under the authority of the Migratory Bird Treaty Act, 16 USC 703-711; the National Wildlife Refuge Systems Administrative Act, 16 USC 721-731; The Eagle Protection Act, 16 USC 668-668e; The Endangered Species Act, 16 USC 1531-1542; The Migratory Waterfowl Hunting Stamp Act, 16 USC 1361-1407; the Tariff Classification Act, 19 USC 1202; The Lacey Act, 18 USC 42, The Lacey Act Amendments, 16 USC 3371-3378; The American Antiquities Act, 16 USC 433; the African Elephant Conservation Act, 16 USC 4201-4245, The Archeological Resource Protection Act, 16 USC 470aa, et seq.; and The Wild Bird Conservation Act, 16 USC 4901-4916, where in the final disposition of the case has been made by either payment of a forfeiture of collateral or a judgment by the Court on behalf of the government and where so authorized by statute, such wildlife or property shall be forfeited to the U.S. Government and disposed of by the U.S. Fish and Wildlife Service in the manner prescribed by Title 50, Code of Federal Regulations, Part 12.

TITLE 16 – WILDLIFE AND RELATED OFFENSES

COMMERCIAL = C
NON-COMMERCIAL = NC

AMERICAN ANTIQUITIES ACT

BAIL

16 USC 431 Violation of American Antiquities Action \$500 or MA

EAGLE ACT

16 USC 668(a) Knowingly, or with wanton disregard for the consequences take, possess, sell, purchase, barter, offer to sell, transport, export or import Bald or Golden Eagles, live or dead, parts thereof, egg or nest. Violate permit or regulation. MA

MIGRATORY BIRD TREATY ACT

16 USC 703 Take/migratory bird violation of MBTA \$500+\$100 per bird NC or MA
\$1000+\$100 per bird C or MA

16 USC 704(b)(1) Take any migratory bird by the aid of baiting. \$500+\$100/bird

16 USC 704(b)(2)	Placing bait for the purpose of allowing any person to hunt/take migratory birds on or over a baited area. Class A misdemeanor.	MA
16 USC 705	Ship, transport or carry any bird, or any part or nest, or egg.	\$500 or MA

MIGRATORY BIRD HUNTING STAMP ACT

16 USC 718(a)	Take migratory waterfowl without Federal Migratory Bird Hunting and Conservation Stamp	\$150
	(a) Unlicensed	\$300
16 USC 718e(a)	Loan or Use Other's Fed. Migratory Stamp	\$250
16 USC 718(e)(b)	Alter/Counterfeit Fed. Migratory Stamp	\$500 or MA

AIRBORNE HUNTING ACT

16 USC 742j-1(a)(1)	Shoot or attempt to shoot from aircraft birds, fish or other animal wildlife	\$2,500 or MA
16 USC 742J-1(a)(2)	Use aircraft to harass bird, fish or other animal wildlife	\$1,000 or MA
16 USC 742j-1(a)(3)	Knowingly participates using aircraft in 1 or 2	\$1,000 or MA

MARINE MAMMAL ACT

16 USC 1372(a)(2)(A)	Take marine mammals in waters or on lands under the jurisdiction of the United States	\$1,000+\$100 C per mammal \$500+\$100 NC per mammal
16 USC 1372(a)(2)(B)	To use any port, harbor or other place under the Jurisdiction of the United States for any purpose in any way connected with the taking or importation of Marine Mammal or their products	\$1,000 C \$500 NC
16 USC 1372(a)(3)	To possess any products from a Marine Mammal taken in violation of this title.	\$500C \$250 NC
16 USC 1372(a)(4)	Transport, purchase, sell or offer to purchase or sell any Marine Mammals or their products	\$1,000 C \$500 NC

16 USC 1372(a)(5)	Fishing in contravention of any regulations or limitations issued by the Secretary for that fishery	\$500C \$250 NC
16 USC 1372(b)(1)	Import into the United States any Marine Mammal which was pregnant at time of take	\$1,000 C \$500 NC
16 USC 1372(b)(2)	Import into the United States any Marine Mammal which was nursing at time of take or less than eight months old	\$1,000 C \$500 NC
16 USC 1372(b)(3)	Import into the United States any Marine Mammal which was designated by the Secretary as a depleted species	\$1,000 C \$500 NC
16 USC 1372(b)(4)	Import into the United States any Marine Mammal which was taken in a manner deemed inhumane by the Secretary	\$1,000 C \$500 NC
16 USC 1372(c)(1)(A)	Import into the United States any Marine Mammal taken in violation of this subchapter	\$1,000 C \$500 NC
16 USC 1372(c)(1)(B)	Import into the United States any Marine Mammal taken in violation of a law of another country	\$1,000 C \$500 NC
16 USC 1372(c)(2)(A)	Import into the United States any Marine Mammal product if import into the U.S. is unlawful under paragraph (1)	\$1,000 C \$500 NC
16 USC 1372(c)(2)(B)	Import into the United States any Marine Mammal product if the sale in commerce of such product into the country of origin is illegal	\$1,000 C \$500 NC
16 USC 1372(c)(3)	Import into the United States any fish (fresh, frozen or otherwise) if caught by persons subject to the United States and in an illegal manner proscribed by the Secretary	\$1,000 C \$500 NC

ENDANGERED SPECIES ACT

16 USC 1538(a)(1)(A)	Import or export any Endangered Species into or from the United States	\$1,000+\$100 per item C \$500+\$100 per item NC
16 USC 1538(a)(1)(B)	Take any Endangered Species within the United States or territorial sea of the United States	\$1,000+\$100 per item C \$500+\$100 per item NC
16 USC 1538(a)(1)(C)	Take Endangered Species on high sea	\$1,000+\$100 per item C \$500+\$00 per item NC

16 USC 1538(a)(1)(D)	Possess, sell, deliver, carry, transport or ship any Endangered Species taken in violation of (B) or (C)	\$500+\$100 per item C \$250+\$100 per item NC
16 USC 1538(a)(1)(E)	Deliver, receive, carry, transport or ship in interstate or foreign commerce and in the course of a commercial Activity any Endangered Species	\$1,000+\$100 per item
16 USC 1538(a)(1)(F)	Sell or offer for sale in interstate or foreign commerce any such species	\$1,000 of MA
16 USC 1538(a)(1)(G)	Violate any regulation	If reg. not scheduled \$500 C / \$250 NC
16 USC 1538(a)(2)(A)	Import or export any Endangered Species of plant into or from the United States	\$1,000 C \$500 NC
16 USC 1538(a)(2)(B)	Remove and reduce to possession any Endangered Species of plant from areas under federal jurisdiction	\$500 C \$250 NC
16 USC 1538(a)(2)(C)	Deliver, receive, carry, transport or ship in interstate or foreign commerce and in the course of a commercial activity any Endangered Species of plant	\$1,000 or MA
16 USC 1538(a)(2)(D)	Sell or offer for sale in interstate or foreign commerce any Endangered Species of plant	\$1,000 C \$500 NC
16 USC 1538(a)(2)(E)	Violate any regulations for Endangered Species of plants	If reg. not scheduled \$1,000 C / \$500 NC
16 USC 1538(c)	Violate Convention of International Trade of Endangered Species and Plants (CITES)	\$1,000 C \$500 NC
16 USC 1538(d)	Import or export fish and wildlife commercially without a license	\$500 or MA
16 USC 1538(e)	Failure to file a wildlife declaration	\$500C / \$250NC
16 USC 1538(f)	Import wildlife through other than designated port without permit	\$500 C / \$250 NC
16 USC 1538(g)	Attempt or solicit another to commit or cause to be committed any offense defined in this section	\$500 C / \$250 NC

LACEY ACT

16 USC 3372(a)(1)	Import or export, transport, sell, receive, acquire or purchase fish or wildlife or plant taken or possessed in violation of any law, treaty or regulations of the U.S. or Indian tribal law	\$1,000+\$250 per item C \$500+\$250 per item NC
16 USC 3372(a)(2)(A)	Import or export, transport, sell, receive, acquire or purchase in interstate or foreign commerce fish or wildlife taken, possessed, transported or sold in violation of any law or regulations of a state or foreign law	\$1,000+\$250 per item C \$500+\$250 per item NC
16 USC 3372(a)(2)(B)	Import or export, transport, sell, receive, acquire or purchase in interstate or foreign commerce any plant taken, possessed, transported or sold in violation of any law or regulations of any state	\$1,000+\$250 per item C \$500+\$250 per item NC
16 USC 3372(a)(3)(A)	Within the special maritime and territorial jurisdiction of the United States, possess any fish and wildlife taken, possessed, transported or sold in violation of any law or regulation of any state, foreign law or Indian tribal law	\$1,000+\$250 per item C \$500+\$250 per item NC
16 USC 3372(a)(3)(B)	Within the special maritime and territorial jurisdiction of the United States, possess any plant taken, possessed, transported or sold in violation of any law or regulations of any state	\$1,000+\$250 per item C \$500+\$250 per item C
16 USC 3372(a)(5)	To attempt to commit any act described in paragraphs (1) through (4)	Same as defined offense
16 USC 3372(d)	Having imported or exported, transported, sold, purchased or received any fish or wildlife or plant imported from any foreign country or transported in interstate or foreign commerce to make or submit any false record, account, Label or identification thereof	\$1,000 C \$500 NC

ELEPHANT CONSERVATION ACT

16 USC 4223(a)	To import raw ivory from any country other than an ivory producing country	\$500 or MA
16 USC 4223(2)	To export raw ivory from the United States	\$500 or MA

16 USC 4223(3)	To import raw or worked ivory that was exported from an ivory producing country in violation of that country's laws	\$500 or MA
16 USC 4223(4)	To import worked ivory, other than personal effects, from any country unless that country has certified that such ivory was derived from legal sources	\$500 or MA
16 USC 4223(5)	To import raw or worked ivory from a country for which a moratorium is in effect under section 4222 of this title	\$500 or MA

TITLE 18 -- ANIMALS, BIRDS, FISH AND PLANTS

18 USC 41	Hunting, trapping, capturing or willfully disturbing any bird, fish or other wild animal or taking or destroying eggs or nests or willfully injuring, molesting or destroying any animal, plant or property of the United States on a sanctuary refuge or breeding ground reserved by law	\$400 or MA
	(1) Fishing w/o license	\$300
	(a) Proof of valid license	\$100
	(2) Fishing w/o license in possession	\$100
	(a) Unlicensed	\$300
18 USC 42(a)(1)	Importing or shipping injurious animals or inhumane conditions	\$400 or MA
18 USC 42(c)	Causing or permitting any wild animal or bird to be transported under inhumane or unhealthful conditions	\$400 or MA

CODE OF FEDERAL REGULATIONS (CFR)

TITLE 50 -- IMPORTATION, EXPORTATION AND TRANSPORTATION OF WILDLIFE

50 CFR 14.11	Import or export wildlife at any place other than designated port	\$500 or MA
50 CFR 14.31	Failure to comply with conditions of designated port	\$500 or MA
50 CFR 14.32	Exception permits	\$500 or MA
50 CFR 14.51	Failure to allow inspection of wildlife upon import or export	\$500 or MA
50 CFR 14.52	Failure to obtain U.S. Fish and Wildlife Service clearance prior to release from U.S. Customs control	\$500 or MA

50 CFR 14.61	Failure to file wildlife import declaration as required	\$250
50 CFR 14.63	Failure to file wildlife export declaration as required	\$250
50 CFR 14.81	Import, export or transport wildlife in a container not marked as required	\$250
50 CFR 14.91	Engage in business as importer or exporter of wildlife without obtaining import or export license	\$500 or MA
50 CFR 14.103	Transport any live wild mammals or birds in violation of 50 CFR Part 14, Subpart J, standards for the humane and healthful transport of wild mammals and birds	\$500 or MA
<u>16 USC 703</u>	<u>MIGRATORY BIRD TREATY ACT</u>	
50 CFR 20.20(b)	Migratory bird harvest information program (HIP)	\$100
50 CFR 20.21(a)	Take migratory birds with illegal devices	\$300+\$50 per bird or MA
50 CFR 20.21(b)	Take with shotgun capable of holding more than three (3) shells (unplugged)	\$300+\$50 per bird or MA
50 CFR 20.21(c)	Take with illegal floating devices or sinkbox	\$300+\$50 per bird or MA
50 CFR 20.21(d)	Take with motor vehicle or aircraft	\$300+\$50 per bird or MA
50 CFR 20.21(e)	Take with motor boat	\$300+\$50 per bird or MA
50 CFR 20.21(f)	Take with live decoys	\$300+\$50 per bird or MA
50 CFR 20.21(g)	Take with recorded, electrically amplified bird calls	\$300+\$50 per bird or MA
50 CFR 20.21(h)	Take by rally of land/water vehicles	\$300+\$50 per bird or MA
50 CFR 20.21(i)	Take waterfowl or doves with aid or over bait	\$300+\$100 per bird or MA
50 CFR 20.21(j)	Take migratory game birds using or in possession or "Toxic" (lead) shotgun shells	\$200+\$5 per shell or MA
50 CFR 20.22	Take of migratory game birds during closed season	\$300+\$100 per bird
50 CFR 20.23	Take before or after shooting hours	\$200+\$5 per minute

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50 CFR 20.24	Take excess <u>daily</u> bag limit	\$300+\$100 per waterfowl or band-tailed pigeon; \$50 per dove; or MA
50 CFR 20.25	Wanton waste of migratory game birds	\$300+50 per bird or MA
50 CFR 20.26	Take in violation of Emergency Closure	\$300+\$100 per bird or MA
50 CFR 20.31	Possess migratory game birds taken in violation of Sec. C (“take” 20.20-20.26)	\$500+\$100 per bird or MA
50 CFR 20.32	Possess freshly killed birds during closed season	\$500+\$100 per bird or MA
50 CFR 20.33	Possess excess possession limit	\$300+\$100 per waterfowl or band-tailed pigeon; \$50 per dove; or MA
50 CFR 20.34	Possess excess fresh birds on opening day	\$300+\$100 per waterfowl or band-tailed pigeon; \$50 per dove; or MA
50 CFR 20.35	Possess excess daily bag limit in field	\$300+\$100 per waterfowl or band-tailed pigeon; \$50 per dove; or MA
50 CFR 20.36	Leave untagged birds in storage	\$300
50 CFR 20.37	Receive or have custody of untagged birds of another	\$300
50 CFR 20.38	Possess live wounded birds	\$300
50 CFR 20.40	Illegal gift of migratory birds	\$200
50 CFR 20.41	Transport birds in violation of Subpart C (“take” 20.20-26)	\$200
50 CFR 20.42	Transport untagged birds of another	\$300
50 CFR 20.43	Transport birds, head or wing identification required	\$200
50 CFR 20.44	Transport birds, marking package or container	\$200
50 CFR 20.51	Export birds taken in violation of Subpart C	\$200

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50 CFR 20.52	Export birds without a wing attached	\$200
50 CFR 20.53	Export birds, marking package or container	\$200
50 CFR 20.61(a)(b)	Import excess birds from foreign country	\$200 per bird
50 CFR 20.62	Import birds belonging to another person	\$200 per bird
50 CFR 20.63	Import birds without a wing attached	\$200 per bird
50 CFR 20.64	Import birds without foreign documents	\$200 per bird
50 CFR 20.65	Import birds (except Canada) unprocessed	\$200 per bird
50 CFR 20.66	Import birds, marking package or container	\$200 per bird
50 CFR 20.71	Take migratory birds in violation of Federal law	\$300
50 CFR 20.72	Take migratory birds in violation of State law	\$300
50 CFR 20.73	Take migratory birds in violation of Foreign law	\$300
50 CFR 20.81	Commercial preservation facility, tagging required	\$300
50 CFR 20.82(a)(b)	Commercial preservation facility, records required	\$300
50 CFR 20.83	Commercial preservation facility, preventing inspection	\$300
50 CFR 20.91(a)(b)	Commercial use of feathers and mounts	\$300 or MA
50 CFR 20.109	Take migratory birds, violation of falconry regulations	\$300 or MA
50 CFR 20.110	Take, transport, possess in violation of regulations for/on Indian reservations	\$300 or MA
50 CFR 20.133	Take, transport, possess, in violation of crow hunting regulations	\$300
50 CFR 21.11	General permit requirements for any migratory birds (No person shall take, possess, import, export, transport, sell, purchase, barter or offer for sale, purchase or barter)	\$300 or MA
50 CFR 21.22	Permit requirements for banding and marking	\$300

50 CFR 21.23	Permit requirements for scientific collecting	\$300
50 CFR 21.24	Permit requirements for taxidermist	\$300
50 CFR 21.25	Permit requirements for waterfowl sale and disposal	\$300
50 CFR 21.27	Requirements for special purpose permits	\$300
50 CFR 21.28	Violations of falconry regulations	\$300
50 CFR 21.41	Depredation permit violations	\$300 or MA
50 CFR 21.42	Depredation order for migratory game birds	\$300
50 CFR 21.43	Depredation order for migratory non-game birds	\$300
50 CFR 21.44	Depredation order for California species	\$300
<u>16 USC 668(a)</u>	<u>EAGLE ACT</u>	
50 CFR 22.11(a)	Take, possess or transport any Bald or Golden Eagle without a valid permit	MA
50 CFR 22.11(b)	Possess or transport any Bald or Golden Eagle without a valid permit	MA
<u>16 USC 668dd(f)(2)</u>	<u>REFUGE ADMINISTRATION ACT (Class B)</u>	
50 CFR 25.21	Violation of refuge closure order	\$150 or MA
50 CFR 25.22	Fail to turn in found articles	\$50
50 CFR 25.31	Violation of general provisions	\$150
50 CFR 25.41	Violation of refuge permits	\$250
50 CFR 25.56	Enforcement of entrance fees	\$50 or \$25 per person whichever is greater
<u>RESTRICTED OR PROHIBITED ACTS ON NATIONAL WILDLIFE REFUGES</u>		
50 CFR 26.21(a)(b)	Trespass	\$250 or MA

50 CFR 26.21(b)	No unconfined domestic livestock including dogs and cats, shall be permitted to enter or roam unless authorized	(a) Unleashed (b) Other	\$50 per animal \$100 or MA
50 CFR 26.34	Special regulations		\$150
50 CFR 26.36	Conduct public assembly, meeting, demonstration with a permit		\$150
50 CFR 27.21	No person shall take any animal or plant on any National Wildlife Refuge unless authorized		\$300 or MA
50 CFR 27.31	Unauthorized use of vehicles or off designated routes		\$150 or MA
50 CFR 27.31(a)	State law applicable		Appendix or CA Bail
50 CFR 27.31(b)	Driving under the influence		MA
50 CFR 27.31(c)	Careless driving ¹³		\$400 or MA
50 CFR 27.31(d)	Speeding	Miles Per Hour Over Limit 1-15 16-25 26 and over	CA Bail \$100 \$180 \$350
50 CFR 27.31(e)(1)	No muffler		\$150
50 CFR 27.31(e)(2)	No spark arrester		\$150
50 CFR 27.31(f)	No license plates or registration	Proof of correction	\$150 \$75
50 CFR 27.31(g)	Driving without a license	(1) No license in possession (2) Unlicensed (3) Suspended	\$150 \$300 \$500 or MA
50 CFR 27.31(h)	Blocking roadway		\$150
50 CFR 27.31(i)	Disobedience to law enforcement officer or employee		\$250 or MA

¹³A negative disposition under this CFR may result in an adverse reporting to California DMV equivalent to a reckless driving conviction under Vehicle Code §23103. The court should consider directing CVB to not report the conviction to California DMV.

50 CFR 27.31(j)	Violating load limitations	\$250 or CA Bail
50 CFR 27.31(k)	Moving car involved in accident	\$150 or MA
50 CFR 27.31(l)	Improper brakes or brake lights	\$150
50 CFR 27.31(m)	Special vehicle requirements	\$150
50 CFR 27.32(a)	Unauthorized use of boats	\$150 or MA
50 CFR 27.32(b)(1)	State law and Coast Guard regulations apply	CA Bail
50 CFR 27.32(b)(2)	Reckless boating	\$400 or MA
50 CFR 27.32(3)	Boating under the influence	MA
50 CFR 27.32(4)	Operation of a boat which interferes with other boats	\$150 or MA
50 CFR 27.32(5)	Improper marine toilet	\$150 or MA
50 CFR 27.32(6)	Improper boat lighting	\$150
50 CFR 27.32(7)	Leaving boat unattended, for more than 72 hours	\$150 or MA
50 CFR 27.32(8)	Unauthorized use of docks	\$150 or MA
50 CFR 27.33(a)	Unauthorized waterskiing	\$100
50 CFR 27.33(b)	Towing skier without observer	\$100
50 CFR 27.33(c)	Clockwise circling when towing a water skier	\$50
50 CFR 27.33(d)	No life vest	\$50 per person
50 CFR 27.33(e)	Too close to harbors and beaches	\$150 or MA
50 CFR 27.34	Unauthorized operation of aircraft	MA
50 CFR 27.41	Carrying, possession, discharge firearms, fireworks or explosives (California CWP accepted)	\$50 firework possession \$100 using fireworks \$250 possessing firearms \$500 Discharge of firearms or MA

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50 CFR 27.43	Use or possession of unlawful weapons (cross bows, bows and arrows, air guns, spears, gigs, or other weapons)	\$250 or MA
50 CFR 27.51	Disturbing, injuring, spearing, poisoning, destroying, collecting (or attempt) plants or animals	\$150 or MA
50 CFR 27.52	Introduction, liberation, or placed any plants or animals	\$250 or MA
50 CFR 27.61	Destruction or removal of property	\$250 or MA
50 CFR 27.62	Search for and removal of objects of antiquity	MA
50 CFR 27.63(a)(b)	Search for and removal of valued objects	MA
50 CFR 27.64	Prospecting and mining	MA
50 CFR 27.65	Tampering with vehicles or equipment	\$400 or MA
50 CFR 27.71	Motion or sound pictures for commercial use	\$150
50 CFR 27.72	Audio equipment	\$150
50 CFR 27.73	Use of artificial lights to locate or take wildlife	\$300 or MA
50 CFR 27.81	Alcoholic beverages on NWR Underage	\$150 \$250 or MA
50 CFR 27.82(b)(1)	Deliver any controlled substance on NWR	MA
50 CFR 27.82(b)(2)	Possess any controlled substance on NWR	MA
50 CFR 27.82(b)(3)	Presence on a NWR while under the influence of a controlled substance	\$250 or MA
50 CFR 27.83	Indecency or disorderly conduct	\$400 or MA
50 CFR 27.84	Interference with persons engaged in authorized activities	\$400 or MA
50 CFR 27.85	Gambling	\$150
50 CFR 27.86	Begging	\$50
50 CFR 27.91	Field trials	\$100

50 CFR 27.92	Private structures	\$250 or MA
50 CFR 27.93	Abandonment of property	\$250 or MA
50 CFR 27.94	Waste disposal Littering	\$300 or MA \$150 or MA
50 CFR 27.95	Fires	\$350
50 CFR 27.96	Advertising	\$150
50 CFR 27.97	Private Operations	\$250 or MA
50 CFR 28.31	General penalty provision, Violating of any provision, rule, regulation, etc., not otherwise provided for	\$150
50 CFR 31.16	Violations of trapping program	\$250 or MA
50 CFR 32.2(a)	Hunt without required State license and State stamps Proof of correction	\$300 \$100
50 CFR 32.2(b)	Hunt waterfowl without a Federal waterfowl hunting stamp Proof of correction	\$150 \$75
50 CFR 32.2(c)	Hunt in violation of other Federal laws or regulations	\$150
50 CFR 32.2(d)	Failure to comply with State laws and regulations	\$150 or CA Bail
50 CFR 32.2(e)	Failure to comply with terms and conditions authorizing access to use of NWR areas	\$150
50 CFR 32.2(f)	Failure to comply with NWR's special hunting regulations	\$150
50 CFR 32.2(g)	Use of any drug on any arrow for bow hunting on NWR areas or possession thereof	\$250 or MA
50 CFR 32.2(h)	Unauthorized distribution of bait or hunting over bait on NWR	\$500 or MA
50 CFR 32.2(i)	Use of nails, wire, screws, bolts or any metal for tree stands	\$250 or MA
50 CFR 32.2(j)	Possession of alcohol while hunting on NWR Underage	\$150 \$250 or MA

50 CFR 32.2(k)	Possession of lead/toxic shot while hunting on a NWR	\$200
50 CFR 32.5(a)	Fishing without required State fishing license	
	(1) Fishing w/o License	\$300
	Proof of Correction	\$100
	(2) Fishing w/o License in Possession	\$100
	Unlicensed	\$300
50 CFR 32.5(b)	Comply with applicable Federal laws and regulations	\$150 or MA
50 CFR 32.5(c)	Comply with State laws and regulations	\$150 or CA Bail
50 CFR 32.5(d)	Comply with terms and conditions authorizing access and use of the NWR	\$150
50 CFR 32.5(e)	Comply with special regulations of NWR	\$150

BUREAU OF RECLAMATION

TITLE 43 CFR PART 423 -- PUBLIC CONDUCT OF RECLAMATION LANDS AND PROJECTS

Sec. 423.3 Prohibition of trespassing, tampering and vandalism

The following activities are prohibited:

- | | | |
|-----|--|-------------|
| (a) | Trespassing, entering, or remaining in or upon property or real property not open to the public; | \$150 or MA |
| (b) | Tampering or attempting to tamper with property or real property; | \$150 or MA |
| (c) | Vandalism or destroying, injuring, defacing, or damaging property or real property. | \$250 or MA |

Sec. 423.4 Restrictions on water vessel operation.

The following are prohibited:

- | | | |
|-----|--|-------------|
| (a) | Operating a vessel in a closed area; | \$150 |
| (b) | Failing to observe restrictions established by a regulatory marker; | \$150 |
| (c) | Operating a vessel . . .in a reckless or negligent manner; | \$400 or MA |
| (d) | Operating a vessel when under the influence of alcohol or legally-used controlled substance. | MA |

Sec. 423.5 Applicability of State law to vehicle operation.

Any person operating a vehicle within Reclamation lands or Reclamation projects is subject to State laws in effect at the time.	Appendix or CA Bail
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Sec. 423.6 Restrictions on weapons.

- | | | |
|-----|--|-------------|
| (a) | Carrying or possessing a weapon in violation of applicable Federal or State law is prohibited. | \$250 or MA |
| (b) | Discharge of a weapon, except where allowed by State law, is prohibited. | \$400 or MA |

Sec. 423.7	Prohibition of disorderly conduct.	
	Disorderly conduct is prohibited.	\$250 or MA
Sec. 423.8	Prohibition on interfering with agency functions.	
	The following are prohibited:	
	(a) Threatening, resisting, intimidating, or intentionally interfering with a government employee;	\$400 or MA
	(b) Violating the lawful order of a government employee or agent;	\$250 or MA
	(c) Knowingly giving a false or fictitious report or other false information to an authorized person investigating an accident;	MA
	(d) Knowingly giving a false report or false information for the purpose of misleading a government employee or agent.	MA
Sec. 423.9	Prohibition of explosives.	
	Using, possessing, storing, or transporting explosives, blasting agents, or explosive materials.	MA
Sec. 423.20	General Rules	
	(a) Violating a federal, state or local law.	\$150 or MA
Sec. 423.22	Interference With Agency Functions and Disorderly Conduct	
	(a) Assaulting, threatening, disturbing, resisting, intimidating, impeding or interfering with an employee or agent.	\$400 or MA
	(b) Failing to comply with any lawful order.	\$250 or MA
	(c) Knowingly giving a false report or other false information.	MA
	(d) Interfering with, impeding, or disrupting the authorized use of facilities.	\$250 or MA
	(e) Engaging in disorderly conduct.	\$250 or MA

Sec. 423.23	Abandonment and Impoundment of Personal Property	
	(a) Abandoning personal property.	\$150 or MA
	(b) Storing or leaving unattended personal property.	\$ 50 or MA
Sec. 423.24	Trespassing	
	Trespassing is prohibited.	\$150 or MA
Sec.423.25	Vandalism, Tampering and Theft	
	(a) Tampering or attempting to tamper with property not under one's lawful control or possession.	\$150 or MA
	(b) Destroying, injuring, defacing, damaging or unlawfully removing property.	\$250 or MA
	(c) Dropping, placing, throwing or rolling rocks or other items.	\$250 or MA
Sec. 423.26	Public Events and Gatherings	
	Conducting public assemblies, etc., without a permit.	\$250 or MA
Sec. 423.27	Advertising and Public Solicitation	
	Engaging in advertising or solicitation.	\$150
Sec. 423.28	Memorials	
	Burying, depositing or scattering of human or animal remains.	\$100
Sec. 423.29	Natural and Cultural Resources	
	(a) Destroying, injuring, defacing or removing, or altering natural resources or cultural resources.	MA
	(b) Introducing wildlife, fish or plants.	\$250 or MA
	(c) Dropping, placing, throwing or rolling rocks.	\$150 or MA
	(d) Damaging or removing any live tree.	\$300 or MA

- (e) Walking on or climbing cultural resources including monuments or statutes. \$150 or MA
- (f) Possessing a metal detector or other geophysical discovery device. \$ 50

Sec. 423.30 Weapons, Firearms, Explosives, and Fireworks

- (a) (1) Possessing a weapon. \$250 or MA
- (2) Failing to comply with any prohibition or regulations. \$250 or MA
- (b) Discharging or shooting a weapon. \$400 or MA
- (c) Using or possessing explosives, or fireworks, or pyrotechnics of any type, except as allowed by permit. \$250 or MA

Sec. 423.31 Fires and Flammable Materials

- (a) Leaving a fire unattended. \$350
- (b) Improperly disposing of lighted smoking materials. \$350
- (c) Burning materials that produce toxic fumes. \$350 or MA
- (d) Transporting gasoline and other fuels in containers not designed for that purpose. \$100 or MA
- (e) Failing to comply with permit requirements. \$350

Sec. 423.32 Hunting, Fishing, and Trapping

- (a) Hunting, fishing, and trapping in violation of law. \$300 or MA
- (b) Failing to comply with restrictions. \$100 or MA

Sec. 423.33 Camping

- (a) Failing to comply with any restrictions on camping. \$150
- (b) Camping longer than 14 days. \$50 or 3X Actual Fee, whichever is greater
- (c) Attempting to reserve a campsite for future use. \$ 50

- (d) Camping at a campsite that is posted or otherwise marked as “reserved” or “closed”. \$50 or 3X Actual Fee, whichever is greater
- (e) Digging or leveling any ground in a designated campground. \$100 or MA

Sec. 423.34 Sanitation

- (a) Bringing or improperly disposing of refuse. \$150 or MA
- (b) Failing to keep camping and picnic sites free of trash and litter. \$150 or MA
- (c) Constructing a latrine within 200 yards of waterbody. \$250 or MA

Sec. 423.35 Animals

- (a) Bringing pets or other animals into public buildings, public transportation vehicles or sanitary facilities. \$ 50
- (b) Abandoning any animal. \$ 75 or MA
- (d) (1) Possessing captive wild or exotic animals. \$100 or MA
- (2) Possessing a pet or animal displaying vicious or aggressive behavior. \$100 or MA

Sec. 423.36 Swimming

- (a) Swimming, wading, snorkeling, scuba diving in a prohibited area, rafting or tubing in a restricted area. \$ 50
- (b) Failing to display an international diver down or inland diving flag. \$150
- (c) Diving, jumping or swinging from dams, spillways, bridges, cables, towers or other structures. \$150

Sec. 423.37 Winter Activities

- (a) Towing persons on skis, sleds or other sliding devices with a motor vehicle or snowmobile. \$150 or MA
- (b) Ice skating, ice fishing or ice sailing in a restricted area. \$150 or MA

Sec. 423.38 Operating Vessels on Reclamation Waters

- | | | |
|-----|--|------------------------------|
| (a) | Failing to comply with federal, state and local laws. | \$150 or Appendix or CA Bail |
| (b) | Operating a vessel in an area closed to the public. | \$150 or MA |
| (c) | Failing to observe restrictions. | \$150 |
| (d) | Operating a vessel in a reckless manner. | \$400 or MA |
| (e) | Operating a vessel when impaired or intoxicated. | MA |
| (f) | Occupying a vessel overnight. | \$150 |
| (g) | Using a vessel as a place of habitation or residence. | \$150 or MA |
| (h) | Placing or operating a vessel for a fee or for profit. | \$150 or MA |
| (i) | Failure to remove vessels when not in actual use for a period of more than 24 hours. | \$150 |
| (j) | Attaching or anchoring a vessel to structures. | \$150 |
| (k) | Failing to display an international diver down or inland diving flag. | \$150 |
| (l) | Engaging in towing activities other than during daylight hours. | \$150 |

Sec. 423.39 Standards for Vessels

- | | | | |
|-----|-----|--|-------|
| (a) | (1) | Possessing a vessel not constructed and maintained in accordance with law. | \$150 |
| | (2) | Possessing a vessel without safety equipment. | \$150 |
| | (3) | Possessing a motorized vessel without effective exhaust muffler or rendering an exhaust muffler ineffective. | \$150 |

Sec. 423.40 Vehicles

- | | | |
|-----|---|-------------------------------|
| (a) | Operating a vehicle in violation of applicable federal, state or local laws; or operating a vehicle in violation of traffic control devise. | \$150 or Appendix or CA Bail |
| (b) | Parking a vehicle in violation of posted restrictions and regulations; Handicapped; Impeding traffic. | \$ 50
\$150
\$150 or MA |

- (c) Operating any vehicle in a careless, negligent or reckless manner.¹⁴ \$400 or MA
- (d) Violating a regulation governing off-road vehicle use. \$150 or MA

Sec. 423.41 Aircraft

- (a) Taking off or landing an aircraft. MA
- (b) Operating any aircraft in a careless, negligent or reckless manner. MA
- (d) Using non-standard boarding and loading procedures. MA
- (f) Failing to comply with all applicable laws. \$250 or MA
- (g) Failing to securely moor any seaplane. \$150
- (h) Operating a seaplane for commercial purposes. MA
- (i) Operating a seaplane between sunset and sunrise. \$150 or MA
- (j) Failing to comply with restrictions. MA
- (k) Operating a model aircraft. \$ 50

Sec. 423.42 Gambling

- Engaging in commercial gambling. \$150 or MA

Sec. 423.43 Alcoholic Beverages

- Possessing or consuming alcoholic beverages in violation of law. \$250 or MA

Sec. 423.44 Controlled Substances

- Possessing or being under the influence of controlled substances. \$250 or MA

Sec. 423.50 Authorized Activities

- (c) Failing to pay all required fees and properly display applicable permits. \$150 or MA

¹⁴ A negative disposition under this CFR may result in an adverse reporting to California DMV equivalent to a reckless driving conviction under Vehicle Code §23103. The court should consider directing CVB to not report the conviction to California DMV.

- (d) Violating the terms and conditions of a permit. \$150 or MA
- (e) Failing to display any permit. \$150 or MA

Sec. 423.70 Violations

- (b) Violating any use or activity prohibition. \$150

TITLE 43 CFR PART 429 - PROCEDURE TO PROCESS AND RECOVER THE VALUE OF RIGHTS-OF-USE AND ADMINISTRATION COSTS INCURRED ON THE PERMITTING OF SUCH USE

Sec. 429.12 General Restrictions

- Possessing or occupying, or extracting or removing natural resources. MA

APPENDIX

18 U.S.C.A. § 7

Special maritime and territorial jurisdiction of the United States defined

18 U.S.C.A. § 13

Laws of States adopted for areas within Federal jurisdiction

18 U.S.C.A. § 19

Petty offense defined

18 USC § 3013

Special assessment on convicted persons

18 U.S.C.A. § 3401

Misdemeanors; application of probation laws

18 U.S.C.A. § 3559

Sentencing classification of offenses

18 U.S.C.A. § 3571

Sentence of fine

18 U.S.C.A. § 3581

Sentence of imprisonment

Federal Rules of Criminal Procedure, Rule 58

Petty Offenses and Other Misdemeanors

18 U.S.C.A. § 7

§ 7. Special maritime and territorial jurisdiction of the United States defined

The term "special maritime and territorial jurisdiction of the United States", as used in this title, includes:

(1) The high seas, any other waters within the admiralty and maritime jurisdiction of the United States and out of the jurisdiction of any particular State, and any vessel belonging in whole or in part to the United States or any citizen thereof, or to any corporation created by or under the laws of the United States, or of any State, Territory, District, or possession thereof, when such vessel is within the admiralty and maritime jurisdiction of the United States and out of the jurisdiction of any particular State.

(2) Any vessel registered, licensed, or enrolled under the laws of the United States, and being on a voyage upon the waters of any of the Great Lakes, or any of the waters connecting them, or upon the Saint Lawrence River where the same constitutes the International Boundary Line.

(3) *Any lands reserved or acquired for the use of the United States, and under the exclusive or concurrent jurisdiction thereof, or any place purchased or otherwise acquired by the United States by consent of the legislature of the State in which the same shall be, for the erection of a fort, magazine, arsenal, dockyard, or other needful building.*

(4) Any island, rock, or key containing deposits of guano, which may, at the discretion of the President, be considered as appertaining to the United States.

(5) Any aircraft belonging in whole or in part to the United States, or any citizen thereof, or to any corporation created by or under the laws of the United States, or any State, Territory, District, or possession thereof, while such aircraft is in flight over the high seas, or over any other waters within the admiralty and maritime jurisdiction of the United States and out of the jurisdiction of any particular State.

(6) Any vehicle used or designed for flight or navigation in space and on the registry of the United States pursuant to the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, Including the Moon and Other Celestial Bodies and the Convention on Registration of Objects Launched into Outer Space, while that vehicle is in flight, which is from the moment when all external doors are closed on Earth following embarkation until the moment when one such door is opened on Earth for disembarkation or in the case of a forced landing, until the competent authorities take over the responsibility for the vehicle and for persons and property aboard.

(7) Any place outside the jurisdiction of any nation with respect to an offense by or against a national of the United States.

(8) To the extent permitted by international law, any foreign vessel during a voyage having a scheduled departure from or arrival in the United States with respect to an offense committed by or against a national of the United States.

(9) With respect to offenses committed by or against a national of the United States as that term is used in section 101 of the Immigration and Nationality Act--

(A) the premises of United States diplomatic, consular, military or other United States Government missions or entities in foreign States, including the buildings, parts of buildings, and land appurtenant or ancillary thereto or used for purposes of those missions or entities, irrespective of ownership; and

(B) residences in foreign States and the land appurtenant or ancillary thereto, irrespective of ownership, used for purposes of those missions or entities or used by United States personnel assigned to those missions or entities.

18 U.S.C.A. § 13

§ 13. Laws of States adopted for areas within Federal jurisdiction

(a) Whoever within or upon any of the places now existing or hereafter reserved or acquired as provided in section 7 of this title, or on, above, or below any portion of the territorial sea of the United States not within the jurisdiction of any State, Commonwealth, territory, possession, or district is guilty of any act or omission which, although not made punishable by any enactment of Congress, would be punishable if committed or omitted within the jurisdiction of the State, Territory, Possession, or District in which such place is situated, by the laws thereof in force at the time of such act or omission, shall be guilty of a like offense and subject to a like punishment.

(b)(1) Subject to paragraph (2) and for purposes of subsection (a) of this section, that which may or shall be imposed through judicial or administrative action under the law of a State, territory, possession, or district, for a conviction for operating a motor vehicle under the influence of a drug or alcohol, shall be considered to be a punishment provided by that law. Any limitation on the right or privilege to operate a motor vehicle imposed under this subsection shall apply only to the special maritime and territorial jurisdiction of the United States.

(2)(A) In addition to any term of imprisonment provided for operating a motor vehicle under the influence of a drug or alcohol imposed under the law of a State, territory, possession, or district, the punishment for such an offense under this section shall include an additional term of imprisonment of not more than 1 year, or if serious bodily injury of a minor is caused, not more than 5 years, or if death of a minor is caused, not more than 10 years, and an additional fine under this title, or both, if--

(i) a minor (other than the offender) was present in the motor vehicle when the offense was committed; and

(ii) the law of the State, territory, possession, or district in which the offense occurred does not provide an additional term of imprisonment under the circumstances described in clause (i).

(B) For the purposes of subparagraph (A), the term "minor" means a person less than 18 years of age.

(c) Whenever any waters of the territorial sea of the United States lie outside the territory of any State, Commonwealth, territory, possession, or district, such waters (including the airspace above and the seabed and subsoil below, and artificial islands and fixed structures erected thereon) shall be deemed, for purposes of subsection (a), to lie within the area of the State, Commonwealth, territory, possession, or district that it would lie within if the boundaries of such State, Commonwealth, territory, possession, or district were extended seaward to the outer limit of the territorial sea of the United States.

18 U.S.C.A. § 19

§ 19. Petty offense defined

As used in this title, the term "petty offense" means a Class B misdemeanor, a Class C misdemeanor, or an infraction, for which the maximum fine is no greater than the amount set forth for such an offense in section 3571(b)(6) or (7) in the case of an individual or section 3571(c)(6) or (7) in the case of an organization.

18 U.S.C.A. § 3013

§ 3013. Special assessment on convicted persons

(a) The court shall assess on any person convicted of an offense against the United States--

(1) in the case of an infraction or a misdemeanor--

(A) if the defendant is an individual--

(i) the amount of \$5 in the case of an infraction or a class C misdemeanor;

(ii) the amount of \$10 in the case of a class B misdemeanor; and

(iii) the amount of \$25 in the case of a class A misdemeanor; and

(B) if the defendant is a person other than an individual--

(i) the amount of \$25 in the case of an infraction or a class C misdemeanor;

(ii) the amount of \$50 in the case of a class B misdemeanor; and

(iii) the amount of \$125 in the case of a class A misdemeanor;

(2) in the case of a felony--

(A) the amount of \$100 if the defendant is an individual; and

(B) the amount of \$400 if the defendant is a person other than an individual.

(b) Such amount so assessed shall be collected in the manner that fines are collected in criminal cases.

(c) The obligation to pay an assessment ceases five years after the date of the judgment. This subsection shall apply to all assessments irrespective of the date of imposition.

(d) For the purposes of this section, an offense under section 13 of this title is an offense against the United States.

18 U.S.C.A. § 3401

§ 3401. Misdemeanors; application of probation laws

(a) When specially designated to exercise such jurisdiction by the district court or courts he serves, any United States magistrate judge shall have jurisdiction to try persons accused of, and sentence persons convicted of, misdemeanors committed within that judicial district.

(b) Any person charged with a misdemeanor, other than a petty offense may elect, however, to be tried before a district judge for the district in which the offense was committed. The magistrate judge shall carefully explain to the defendant that he has a right to trial, judgment, and sentencing by a district judge and that he may have a right to trial by jury before a district judge or magistrate judge. The magistrate judge may not proceed to try the case unless the defendant, after such explanation, expressly consents to be tried before the magistrate judge and expressly and specifically waives trial, judgment, and sentencing by a district judge. Any such consent and waiver shall be made in writing or orally on the record.

(c) A magistrate judge who exercises trial jurisdiction under this section, and before whom a person is convicted or pleads either guilty or nolo contendere, may, with the approval of a judge of the district court, direct the probation service of the court to conduct a presentence investigation on that person and render a report to the magistrate judge prior to the imposition of sentence.

(d) The probation laws shall be applicable to persons tried by a magistrate judge under this section, and such officer shall have power to grant probation and to revoke, modify, or reinstate the probation of any person granted probation by a magistrate judge.

(e) Proceedings before United States magistrate judges under this section shall be taken down by a court reporter or recorded by suitable sound recording equipment. For purposes of appeal a copy of the record of such proceedings shall be made available at the expense of the United States to a person who makes affidavit that he is unable to pay or give security therefor, and the expense of such copy shall be paid by the Director of the Administrative Office of the United States Courts.

(f) The district court may order that proceedings in any misdemeanor case be conducted before a district judge rather than a United States magistrate judge upon the court's own motion or, for good cause shown, upon petition by the attorney for the Government. Such petition should note the novelty, importance, or complexity of the case, or other pertinent factors, and be filed in accordance with regulations promulgated by the Attorney General.

(g) The magistrate judge may, in a petty offense case involving a juvenile, exercise all powers granted to the district court under chapter 403 of this title. The magistrate judge may, in the case of any misdemeanor, other than a petty offense, involving a juvenile in which consent to trial before a magistrate judge has been filed under subsection (b), exercise all powers granted to the district court under chapter 403 of this title. For purposes of this subsection, proceedings under chapter 403 of this title may be instituted against a juvenile by a violation notice or complaint, except that no such case may proceed unless the certification referred to in section 5032 of this title has been filed in open court at the arraignment.

(h) The magistrate judge shall have power to modify, revoke, or terminate supervised release of any person sentenced to a term of supervised release by a magistrate judge.

(i) A district judge may designate a magistrate judge to conduct hearings to modify, revoke, or terminate supervised release, including evidentiary hearings, and to submit to the judge proposed findings of fact and recommendations for such modification, revocation, or termination by the judge, including, in the case of revocation, a recommended disposition under section 3583(e) of this title. The magistrate judge shall file his or her proposed findings and recommendations.

18 U.S.C.A. § 3559

§ 3559. Sentencing classification of offenses

(a) Classification.--An offense that is not specifically classified by a letter grade in the section defining it, is classified if the maximum term of imprisonment authorized is--

(1) life imprisonment, or if the maximum penalty is death, as a Class A felony;

(2) twenty-five years or more, as a Class B felony;

(3) less than twenty-five years but ten or more years, as a Class C felony;

(4) less than ten years but five or more years, as a Class D felony;

(5) less than five years but more than one year, as a Class E felony;

(6) *one year or less but more than six months, as a Class A misdemeanor;*

(7) *six months or less but more than thirty days, as a Class B misdemeanor;*

(8) *thirty days or less but more than five days, as a Class C misdemeanor; or*

(9) *five days or less, or if no imprisonment is authorized, as an infraction.*

(b) Effect of classification.--Except as provided in subsection (c), an offense classified under subsection (a) carries all the incidents assigned to the applicable letter designation, except that the maximum term of imprisonment is the term authorized by the law describing the offense.

(c) Imprisonment of certain violent felons.--

(1) Mandatory life imprisonment.--Notwithstanding any other provision of law, a person who is convicted in a court of the United States of a serious violent felony shall be sentenced to life imprisonment if--

(A) the person has been convicted (and those convictions have become final) on separate prior occasions in a court of the United States or of a State of--

(i) 2 or more serious violent felonies; or

(ii) one or more serious violent felonies and one or more serious drug offenses; and

(B) each serious violent felony or serious drug offense used as a basis for sentencing under this subsection, other than the first, was committed after the defendant's conviction of the preceding serious violent felony or serious drug offense.

(2) Definitions.--For purposes of this subsection--

(A) the term "assault with intent to commit rape" means an offense that has as its elements engaging in physical contact with another person or using or brandishing a weapon against another person with intent to commit aggravated sexual abuse or sexual abuse (as described in sections 2241 and 2242);

(B) the term "arson" means an offense that has as its elements maliciously damaging or destroying any building, inhabited structure, vehicle, vessel, or real property by means of fire or an explosive;

(C) the term "extortion" means an offense that has as its elements the extraction of anything of value from another person by threatening or placing that person in fear of injury to any person or kidnapping of any person;

(D) the term "firearms use" means an offense that has as its elements those described in section 924(c) or 929(a), if the firearm was brandished, discharged, or otherwise used as a weapon and the crime of violence or drug trafficking crime during and relation to which the firearm was used was subject to prosecution in a court of the United States or a court of a State, or both;

(E) the term "kidnapping" means an offense that has as its elements the abduction, restraining, confining, or carrying away of another person by force or threat of force;

(F) the term "serious violent felony" means--

(i) a Federal or State offense, by whatever designation and wherever committed, consisting of murder (as described in section 1111); manslaughter other than involuntary manslaughter (as described in section 1112); assault with intent to commit murder (as described in section 113(a)); assault with intent to commit rape; aggravated sexual abuse and sexual abuse (as described in sections 2241 and 2242); abusive sexual contact (as described in sections 2244 (a)(1) and (a)(2)); kidnapping; aircraft piracy (as described in section 46502 of Title 49); robbery (as described in section 2111, 2113, or 2118); carjacking (as described in section 2119); extortion; arson; firearms use; firearms possession (as described in section 924(c)); or attempt, conspiracy, or solicitation to commit any of the above offenses; and

(ii) any other offense punishable by a maximum term of imprisonment of 10 years or more that has as an element the use, attempted use, or threatened use of physical force against the person of another or that, by its nature, involves a substantial risk that physical force against the person of another may be used in the course of committing the offense;

(G) the term "State" means a State of the United States, the District of Columbia, and a commonwealth, territory, or possession of the United States; and

(H) the term "serious drug offense" means--

(i) an offense that is punishable under section 401(b)(1)(A) or 408 of the Controlled Substances Act (21 U.S.C. 841(b)(1)(A), 848) or section 1010(b)(1)(A) of the Controlled Substances Import and Export Act (21 U.S.C. 960(b)(1)(A)); or

(ii) an offense under State law that, had the offense been prosecuted in a court of the United States, would have been punishable under section 401(b)(1)(A) or 408 of the Controlled Substances Act (21 U.S.C. 841(b)(1)(A), 848) or section 1010(b)(1)(A) of the Controlled Substances Import and Export Act (21 U.S.C. 960(b)(1)(A)).

(3) Nonqualifying felonies.--

(A) Robbery in certain cases.--Robbery, an attempt, conspiracy, or solicitation to commit robbery; or an offense described in paragraph (2)(F)(ii) shall not serve as a basis for sentencing under this subsection if the defendant establishes by clear and convincing evidence that--

(i) no firearm or other dangerous weapon was used in the offense and no threat of use of a firearm or other dangerous weapon was involved in the offense; and

(ii) the offense did not result in death or serious bodily injury (as defined in section 1365) to any person.

(B) Arson in certain cases.--Arson shall not serve as a basis for sentencing under this subsection if the defendant establishes by clear and convincing evidence that--

(i) the offense posed no threat to human life; and

(ii) the defendant reasonably believed the offense posed no threat to human life.

(4) Information filed by United States Attorney.--The provisions of section 411(a) of the Controlled Substances Act (21 U.S.C. 851(a)) shall apply to the imposition of sentence under this subsection.

(5) Rule of construction.--This subsection shall not be construed to preclude imposition of the death penalty.

(6) Special provision for Indian country.--No person subject to the criminal jurisdiction of an Indian tribal government shall be subject to this subsection for any offense for which Federal jurisdiction is solely predicated on Indian country (as defined in section 1151) and which occurs within the boundaries of such Indian country unless the governing body of the tribe has elected that this subsection have effect over land and persons subject to the criminal jurisdiction of the tribe.

(7) Resentencing upon overturning of prior conviction.--If the conviction for a serious violent felony or serious drug offense that was a basis for sentencing under this subsection is found, pursuant to any appropriate State or Federal procedure, to be unconstitutional or is vitiated on the explicit basis of innocence, or if the convicted person is pardoned on the explicit basis of innocence, the person serving a sentence imposed under this subsection shall be resentenced to any sentence that was available at the time of the original sentencing.

(d) Death or imprisonment for crimes against children.--

(1) In general.--Subject to paragraph (2) and notwithstanding any other provision of law, a person who is convicted of a Federal offense that is a serious violent felony (as defined in subsection (c)) or a violation of section 2422, 2423, or 2251 shall, unless the sentence of death is imposed, be sentenced to imprisonment for life, if--

(A) the victim of the offense has not attained the age of 14 years;

(B) the victim dies as a result of the offense; and

(C) the defendant, in the course of the offense, engages in conduct described in section 3591(a)(2).

(2) Exception.--With respect to a person convicted of a Federal offense described in paragraph (1), the court may impose any lesser sentence that is authorized by law to take into account any substantial assistance provided by the defendant in the investigation or prosecution of another person who has committed an offense, in accordance with the Federal Sentencing Guidelines and the policy statements of the Federal Sentencing Commission pursuant to section 994(p) of title 28, or for other good cause.

(e) Mandatory life imprisonment for repeated sex offenses against children.--

(1) In general.--A person who is convicted of a Federal sex offense in which a minor is the victim shall be sentenced to life imprisonment if the person has a prior sex conviction in which a minor was the victim, unless the sentence of death is imposed.

(2) Definitions.--For the purposes of this subsection--

(A) the term "Federal sex offense" means an offense under section 2241 (relating to aggravated sexual abuse), 2242 (relating to sexual abuse), 2244(a)(1) (relating to abusive sexual contact), 2245 (relating to sexual abuse resulting in death), 2251 (relating to sexual exploitation of children), 2251A (relating to selling or buying of children), 2422(b) (relating to coercion and enticement of a minor into prostitution), or 2423(a) (relating to transportation of minors);

(B) the term "State sex offense" means an offense under State law that is punishable by more than one year in prison and consists of conduct that would be a Federal sex offense if, to the extent or in the manner specified in the applicable provision of this title--

(i) the offense involved interstate or foreign commerce, or the use of the mails; or

(ii) the conduct occurred in any commonwealth, territory, or possession of the United States, within the special maritime and territorial jurisdiction of the United States, in a Federal prison, on any land or building owned by, leased to, or otherwise used by or under the control of the Government of the United States, or in the Indian country (as defined in section 1151);

(C) the term "prior sex conviction" means a conviction for which the sentence was imposed before the conduct occurred constituting the subsequent Federal sex offense, and which was for a Federal sex offense or a State sex offense;

(D) the term "minor" means an individual who has not attained the age of 17 years; and

(E) the term "state" has the meaning given that term in subsection (c)(2).

(3) Nonqualifying felonies.--An offense described in section 2422(b) or

2423(a) shall not serve as a basis for sentencing under this subsection if the defendant establishes by clear and convincing evidence that--

- (A) the sexual act or activity was consensual and not for the purpose of commercial or pecuniary gain;
- (B) the sexual act or activity would not be punishable by more than one year in prison under the law of the State in which it occurred; or
- (C) no sexual act or activity occurred.

(f)(1) If a defendant who is convicted of a felony offense (other than offense of which an element is the false registration of a domain name) knowingly falsely registered a domain name and knowingly used that domain name in the course of that offense, the maximum imprisonment otherwise provided by law for that offense shall be doubled or increased by 7 years, whichever is less.

(2) As used in this section--

(A) the term "falsely registers" means registers in a manner that prevents the effective identification of or contact with the person who registers; and

(B) the term "domain name" has the meaning given that term is [FN1] section 45 of the Act entitled "An Act to provide for the registration and protection of trademarks used in commerce, to carry out the provisions of certain international conventions, and for other purposes" approved July 5, 1946 (commonly referred to as the "Trademark Act of 1946") (15 U.S.C. 1127).

18 U.S.C.A. § 3571

§ 3571. Sentence of fine

(a) In general.--A defendant who has been found guilty of an offense may be sentenced to pay a fine.

(b) Fines for individuals.--Except as provided in subsection (e) of this section, an individual who has been found guilty of an offense may be fined not more than the greatest of--

- (1) the amount specified in the law setting forth the offense;
- (2) the applicable amount under subsection (d) of this section;
- (3) for a felony, not more than \$250,000;
- (4) for a misdemeanor resulting in death, not more than \$250,000;*
- (5) for a Class A misdemeanor that does not result in death, not more than \$100,000;*
- (6) for a Class B or C misdemeanor that does not result in death, not more than \$5,000; or*
- (7) for an infraction, not more than \$5,000.*

(c) Fines for organizations.--Except as provided in subsection (e) of this section, an organization that has been found guilty of an offense may be fined not more than the greatest of--

- (1) the amount specified in the law setting forth the offense;
- (2) the applicable amount under subsection (d) of this section;
- (3) for a felony, not more than \$500,000;
- (4) for a misdemeanor resulting in death, not more than \$500,000;

(5) for a Class A misdemeanor that does not result in death, not more than \$200,000;

(6) for a Class B or C misdemeanor that does not result in death, not more than \$10,000; and

(7) for an infraction, not more than \$10,000.

(d) Alternative fine based on gain or loss.--If any person derives pecuniary gain from the offense, or if the offense results in pecuniary loss to a person other than the defendant, the defendant may be fined not more than the greater of twice the gross gain or twice the gross loss, unless imposition of a fine under this subsection would unduly complicate or prolong the sentencing process.

(e) Special rule for lower fine specified in substantive provision.--If a law setting forth an offense specifies no fine or a fine that is lower than the fine otherwise applicable under this section and such law, by specific reference, exempts the offense from the applicability of the fine otherwise applicable under this section, the defendant may not be fined more than the amount specified in the law setting forth the offense.

18 U.S.C.A. § 3581

§ 3581. Sentence of imprisonment

(a) In general.--A defendant who has been found guilty of an offense may be sentenced to a term of imprisonment.

(b) Authorized terms.--The authorized terms of imprisonment are--

(1) for a Class A felony, the duration of the defendant's life or any period of time;

(2) for a Class B felony, not more than twenty-five years;

(3) for a Class C felony, not more than twelve years;

(4) for a Class D felony, not more than six years;

(5) for a Class E felony, not more than three years;

(6) for a Class A misdemeanor, not more than one year;

(7) for a Class B misdemeanor, not more than six months;

(8) for a Class C misdemeanor, not more than thirty days; and

(9) for an infraction, not more than five days.

Federal Rules of Criminal Procedure, Rule 58

Rule 58. Petty Offenses and Other Misdemeanors

(a) Scope.

(1) In General. These rules apply in petty offense and other misdemeanor cases and on appeal to a district judge in a case tried by a magistrate judge, unless this rule provides otherwise.

(2) Petty Offense Case Without Imprisonment. In a case involving a petty offense for which no sentence of imprisonment will be imposed, the court may follow any provision of these rules that is not inconsistent with this rule and that the court considers appropriate.

(3) Definition. As used in this rule, the term "petty offense for which no sentence of imprisonment will be imposed" means a petty offense for which the court determines that, in the event of conviction, no sentence of imprisonment will be imposed.

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(b) Pretrial Procedure.

(1) Charging Document. The trial of a misdemeanor may proceed on an indictment, information, or complaint. The trial of a petty offense may also proceed on a citation or violation notice.

(2) Initial Appearance. At the defendant's initial appearance on a petty offense or other misdemeanor charge, the magistrate judge must inform the defendant of the following:

(A) the charge, and the minimum and maximum penalties, including imprisonment, fines, any special assessment under 18 U.S.C. § 3013, and restitution under 18 U.S.C. § 3556;

(B) the right to retain counsel;

(C) the right to request the appointment of counsel if the defendant is unable to retain counsel--unless the charge is a petty offense for which the appointment of counsel is not required;

(D) the defendant's right not to make a statement, and that any statement made may be used against the defendant;

(E) the right to trial, judgment, and sentencing before a district judge--unless:

(i) the charge is a petty offense; or

(ii) the defendant consents to trial, judgment, and sentencing before a magistrate judge;

(F) the right to a jury trial before either a magistrate judge or a district judge--unless the charge is a petty offense; and

(G) if the defendant is held in custody and charged with a misdemeanor other than a petty offense, the right to a preliminary hearing under Rule 5.1, and the general circumstances, if any, under which the defendant may secure pretrial release.

(3) Arraignment.

(A) Plea Before a Magistrate Judge. A magistrate judge may take the defendant's plea in a petty offense case. In every other misdemeanor case, a magistrate judge may take the plea only if the defendant consents either in writing or on the record to be tried before a magistrate judge and specifically waives trial before a district judge. The defendant may plead not guilty, guilty, or (with the consent of the magistrate judge) nolo contendere.

(B) Failure to Consent. Except in a petty offense case, the magistrate judge must order a defendant who does not consent to trial before a magistrate judge to appear before a district judge for further proceedings.

(c) Additional Procedures in Certain Petty Offense Cases. The following procedures also apply in a case involving a petty offense for which no sentence of imprisonment will be imposed:

(1) Guilty or Nolo Contendere Plea. The court must not accept a guilty or nolo contendere plea unless satisfied that the defendant understands the nature of the charge and the maximum possible penalty.

(2) Waiving Venue.

(A) Conditions of Waiving Venue. If a defendant is arrested, held, or present in a district different from the one where the indictment, information, complaint, citation, or violation notice is pending, the defendant may state in writing a desire to plead guilty or nolo contendere; to waive venue and trial in the district where the proceeding is pending; and to consent to the court's disposing of the case in the district where the defendant was arrested, is held, or is present.

(B) Effect of Waiving Venue. Unless the defendant later pleads not guilty, the prosecution will proceed in the district where the defendant was arrested, is held, or is present. The district clerk must notify the clerk in the original district of the defendant's waiver of venue. The defendant's statement of a desire to plead guilty or nolo contendere is not admissible against the defendant.

(3) **Sentencing.** The court must give the defendant an opportunity to be heard in mitigation and then proceed immediately to sentencing. The court may, however, postpone sentencing to allow the probation service to investigate or to permit either party to submit additional information.

(4) **Notice of a Right to Appeal.** After imposing sentence in a case tried on a not-guilty plea, the court must advise the defendant of a right to appeal the conviction and of any right to appeal the sentence. If the defendant was convicted on a plea of guilty or nolo contendere, the court must advise the defendant of any right to appeal the sentence.

(d) Paying a Fixed Sum in Lieu of Appearance.

(1) In General. If the court has a local rule governing forfeiture of collateral, the court may accept a fixed-sum payment in lieu of the defendant's appearance and end the case, but the fixed sum may not exceed the maximum fine allowed by law.

(2) **Notice to Appear.** If the defendant fails to pay a fixed sum, request a hearing, or appear in response to a citation or violation notice, the district clerk or a magistrate judge may issue a notice for the defendant to appear before the court on a date certain. The notice may give the defendant an additional opportunity to pay a fixed sum in lieu of appearance. The district clerk must serve the notice on the defendant by mailing a copy to the defendant's last known address.

(3) **Summons or Warrant.** Upon an indictment, or upon a showing by one of the other charging documents specified in Rule 58(b)(1) of probable cause to believe that an offense has been committed and that the defendant has committed it, the court may issue an arrest warrant or, if no warrant is requested by an attorney for the government, a summons. The showing of probable cause must be made under oath or under penalty of perjury, but the affiant need not appear before the court. If the defendant fails to appear before the court in response to a summons, the court may summarily issue a warrant for the defendant's arrest.

(e) **Recording the Proceedings.** The court must record any proceedings under this rule by using a court reporter or a suitable recording device.

(f) **New Trial.** Rule 33 applies to a motion for a new trial.

(g) **Appeal.**

(1) **From a District Judge's Order or Judgment.** The Federal Rules of Appellate Procedure govern an appeal from a district judge's order or a judgment of conviction or sentence.

(2) **From a Magistrate Judge's Order or Judgment.**

(A) **Interlocutory Appeal.** Either party may appeal an order of a magistrate judge to a district judge within 10 days of its entry if a district judge's order could similarly be appealed. The party appealing must file a notice with the clerk specifying the order being appealed and must serve a copy on the adverse party.

(B) **Appeal from a Conviction or Sentence.** A defendant may appeal a magistrate judge's judgment of conviction or sentence to a district judge within 10 days of its entry. To appeal, the defendant must file a notice with the clerk specifying the judgment being appealed and must serve a copy on an attorney for the government.

(C) **Record.** The record consists of the original papers and exhibits in the case; any transcript, tape, or other recording of the proceedings; and a certified copy of the docket entries. For purposes of the appeal, a copy of the record of the proceedings must be made available to a defendant who establishes by affidavit an inability to pay or give security for the record. The Director of the Administrative Office of the United States Courts must pay for those copies.

(D) **Scope of Appeal.** The defendant is not entitled to a trial de novo by a district judge. The scope of the appeal is the same as in an appeal to the court of appeals from a judgment entered by a district judge.

(3) **Stay of Execution and Release Pending Appeal.** Rule 38 applies to a stay of a judgment of conviction or sentence. The court may release the defendant pending appeal under the law relating to release pending appeal from a district court to a court of appeals.

California Business and Professions Code

Providing/contributing to minor	\$250 or MA
25658(a) Unlawful sale of alcohol	MA

California Fish and Game Code

1052 Unlawful use of license or tag	\$500
1054 False statement to obtain license	\$500 or MA
1063 Alter, change, divert stream w/o permit	MA
2001 Unlawful possession after season	\$250 or MA
2002 Unlawful possession	\$250 or MA
2005 Unlawful use of artificial light	\$250 or MA
2006 Loaded gun in vehicle	\$400 or MA
2010 Unlawful possession or use of shotgun	\$400 or MA
2012 Failure to show license, equipment, or game	\$300
- With proof of valid license in court	\$100
2018 Unlawful posting or destruction of signs	\$250 or MA
2080 Import/take/possess any rare or endangered animal	\$500 or MA
2118 Unlawful possession of prohibited species	MA
3000 Hunting during closed hours	\$300 or MA
3001 Hunting while intoxicated	MA
3002 Shooting from boat, vehicle, or airplane	\$400 or MA
3004 Shooting near dwelling (150 yards)	\$400 or MA
3012 Amplified animal sound to assist in taking	\$400
3503 Taking, possessing or destroying the nest or eggs of any birds	\$250 or MA
3511(a) Taking or possession of fully protected birds	MA
3800(d) Taking of non-game bird	\$400 or MA
4004 (d) Setting or maintaining traps that do not bear identification mark of registration	\$250 or MA

4304	Waste of game meat	\$250 or MA
4330	No deer license tag	\$500
4336	Untagged deer	\$500
4600	Unlawful killing or capture of undomesticated burro	MA
4700(a)(1)	Taking or possession of fully protected mammal	MA
4753	Bear tag license violation	\$500 or MA
4758	Sale or purchase of bear meat or parts	MA
5000	Selling, purchasing, harming, possessing, transporting or shooting desert tortoises	MA
5050(a)	Taking or possession of fully protected reptile or amphibian	MA
5508	Fish of indeterminate size	\$150 or MA
5515(a)	Taking or possession of fully protected fish	\$150 or MA
5650	Depositing/permitting to pass into waters deleterious materials	\$250 or MA
5652	Littering within 150 feet of water	\$150 or MA
6400	Unlawful placing of fish, animal or plant in waters	\$250 or MA
7145	Fishing without a license	\$300
	-With proof of valid license in court	\$100
10500	Acts unlawful in refuge	\$150 or MA
12003.1(a)	Unlawful taking of animal	\$300 or MA

California Harbors and Navigation Code

307/308	Attaching or interfering with navigational aid	\$250
654.05	Operating upon inland waters so as to exceed noise level of 82 decibels	\$200
655(a)	Operating or allowing another to operate in a reckless or negligent manner likely to endanger person or property	\$400 or MA
655(a)(b)	Allowing riding on gunwales, transom or over bow while operating in excess of 5 mph	\$150
655.2(a)(b)	Operate in excess of 5 mph or creating a wake in designated areas; within 100 feet of diver's marker, downed skier, or swimmer; within 500 feet of a swimming beach or in areas restricted to less than 500 feet passage, or creating wake	\$150

655.3	Non-compliance with safety equipment and operation	\$100
658(a)	Towing without approved flotation device; without having lookout, other than operator	\$150
658(b)	Towing between the hours of sunset and sunrise	\$250

California Health and Safety Code

12671	Illegal fireworks	\$400 or MA
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California Penal Code

272	Providing/contributing alcohol to minor	\$250 or MA
374.3	Dumping of holding tank	\$250 or MA

California Public Resources Code

4154	Failure to obey summons to suppress forest fire	\$400 or MA
4165 (a-e)	Unlawful conduct at forest fire	\$400 or MA
4255	Smoking or building fires in hazardous fire area	
	(a) Smoking	\$150
	(b) Other	\$350 or MA
4291 (a-f)	Clearance, etc., required around structure	\$150
4292	Clearance required- power pole	\$300
4293	Clearance required – power line	\$300
4297	Violation of proclamation closing area to hunting and fishing	\$300 or MA
4331	Permit and tools required for smoking or building fires	\$150
4373/4374	Clearance required - solid waste facility	\$300
4421	Burning lands of another	\$350 or MA
4422 (a)(b)	Allowing fire to escape	\$350 or MA
4423	Permit required for burning	\$150 or MA
4423.2(b)	Violation of terms of restricted temporary burning permit	\$150 or MA
4423.5	Restricted use of fire	\$150 or MA

4426	Setting backfire without supervision	MA
4427 (a,b)	Clearance and tool requirements	\$150
4428	Toolbox seal for industrial operations	\$150
4429	Tools for industrial and agricultural camps	\$150
4430	Forest pump/water requirement for stream operated equipment	\$300
4431	Tool requirements - portable gas-powered tools	\$150
4432	Neglecting a campfire	\$350 or MA
4433	Permit required for campfire	\$150
4435	Causing fire with equipment	\$350 or MA
4436	Refusing to fight forest fire	MA
4437	Flammable mill waste - disposal required	\$300 or MA
4438	Permit/clearance required for enclosed disposal of mill waste	\$300
4439	Permit/clearance required for open disposal of mill waste	\$300
4440	Clearance required - flammable forest product	\$150
4442	Spark arrester required, internal combustion engines During fire restrictions	\$150 \$250
4443	Internal combustion engines, handheld, portable, and multiposition; construction requirements for use	\$300
4445	Tracer ammunition, restricted use	\$400 or MA
4446	Incinerator standards	\$150 or MA
4675	Using a trailer to launch or recover at undesignated sites	\$200 or MA

California Vehicle Code

Speeding Offenses (when applicable):

MPH Over Limit	Total
1-15	\$100
16-25	\$180
26 and over	\$350

4000(a)(1) No evidence of current registration Proof of Correction	\$50 -0-
4000.6 State load, weight and size limits applicable	\$250 or CA Bail whichever is greater
4462(a) Failure to present evidence of insurance	\$100
4464 Altered license plate displayed on vehicle	\$200 or MA
10751(a) VIN removed, altered or defaced	\$400 or MA
12500(a) Unlawful to drive unless licensed	MA
12951(a) No valid license in possession	MA
14601.1(a) Driving while suspended or revoked for offenses not relating to driving ability (applied to on or off-highway; includes operation of OHVs)	MA
14601.2 Driving while suspended or revoked for alcohol related offenses	MA
16028(a) Fail to provide peace officer evidence of financial responsibility	\$100
16457 Driving vehicle not covered by certificate of financial responsibility	\$150
21712 Operate a motor vehicle while allowing to a person to ride: (a) on or within any vehicle, trailer, or other mode of conveyance towed behind the motor vehicle unless specifically designed for carrying passengers while being towed; or (b) on any exterior portion of the motor vehicle not designed or intended for the use of a passenger	\$150
21720 Operating a pocket bike	\$150
21800(a) - 21806(c) Failure to yield right of way	\$150
22450(a) Fail to stop at stop sign	\$150
22523(a,b) Vehicle abandonment prohibited	\$400 or MA
23103 Reckless/negligent operation	\$400 or MA
23112(a,b) Dumping material on highway/right-of-way prohibited	\$150 or MA
23116(b) Riding in or on the back of truck being driven on highway	\$150
23117(a) Transportation animal without restraints restricted	\$150
23123 Driving motor vehicle while using wireless telephone	\$25

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23130 Making unreasonable noise	\$150
23140(a) Minor (under 21) driving with BAC of .05 or greater	\$500 or MA
23152(a-c) Driving under the influence of alcohol or drugs	MA
23220(a) Drinking alcoholic beverages while driving prohibited	\$250 or MA
23221(a) Drinking alcoholic beverages by driver prohibited	\$250 or MA
23221(b) Drinking alcoholic beverages by passenger prohibited	\$250
23222(a) Possession of open container while driving prohibited	\$250 or MA
23222(b) Possession of less than 1 oz. of marijuana while driving prohibited	MA
23223(a) Possession of open container by passenger prohibited	\$250 or MA
23224(a) Possession of alcohol by a minor (under 21) driving a motor vehicle	MA
23224(b) Possession of alcohol by minor (under 21) as a passenger prohibited	\$250 or MA
23225 Storage of an open container of alcohol in vehicle	\$250
23226 Storage of open container (passenger compartment)	\$250
24400 & 24600(a-f) Headlight and taillight standards for nighttime operation	\$150
24601 License plate lamp required	\$150
24603 Stop lamp requirements	\$150
26450 Working brake system required	\$150
27150(a) Muffler required	\$150
27315 (d)(e) Mandatory use of seat belts	\$150
27459 Traction control devices when required	\$150
38020 OHV registration required	\$150
Proof of correction	\$75
38025 Operation of OHV on highway	\$150
38090 Lost or mutilated ID plate or certificate	\$150
38170(a) Registration not displayed on Off-Highway Vehicle [OHV]	\$150
Proof of Correction	\$75
38170(b-c) Registration not securely attached/clearly visible on OHV	\$150
Proof of Correction	\$75

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38300 Unlawful to disobey specified sign, signal, or traffic control device when operating OHV	\$150
38301 Unlawful to violate OHV operation regulations	\$150
38301.3 OHV in wilderness area	\$400 or MA
38304 Inability to reach or operate	\$150
38304.1 Allow child under 14 to operate OHV	First Offense \$35
	Second Offense \$35 to \$50
	Third Offense \$50 to \$75
38305 Speed unsafe for conditions	\$150 or MA
38310 15 MPH within 50 feet of campsite, people, or animals	\$150
38312 Unsafe start	\$150
38314 Unsafe turn	\$150
38316 Reckless driving	\$400 or MA
38317 Reckless driving causing bodily injury	MA
38318 Throwing substance at OHV	\$250 or MA
38318.5 (a) Malicious removal or alterations of signs	\$250 or MA
(b) Erection of cable or line	\$250 or MA
38319 Causing malicious unnecessary damage to land, wildlife habitat, or vegetation	\$250 or MA
38320 Littering or dumping	\$150 or MA
38321 Failure to remove material	\$150 or MA
38330 Unlawful to operate OHV that is unsafe, not equipped as as required for an OHV, or not safely loaded	\$150
38335 Headlight required during darkness on OHV	\$150
38345 Red taillight required during darkness on OHV	\$150
38346 Improper use of warning light	\$150
38355(a) OHV equipped with working brake system required	\$150
38365(a) Muffler required on OHV	\$150
38366(a) Functional USFS approved spark arrester required on OHV	\$150

38370(h)(1) OHV meet noise requirements	\$150
38375 Use of sirens	\$150
38390 Pollution control device	\$150
38391 Modification of pollution control device	\$150 or MA
38503(b) Under 18, without certificate, must be supervised by adult with safety certificate (ATV Only)	\$150
Proof of correction	\$75
38503(c) Under 18, and without adult supervision, must possess safety certificate (ATV Only)	\$150
Proof of correction	\$75
38504 Under 14 years direct supervision of adult with safety certificate (ATV Only)	\$150
Proof of correction	\$75
38505 Operation of ATV without safety helmet prohibited	\$100
38506 Operation of ATV with passenger prohibited when not designated for dual use	\$150

California Administrative Code, Title 14 (CCR)

1.17 Excess of bag limit – fish	\$300
+(For each over-limit fish)	\$50
1.62 Undersize fish	\$300
+(For each undersized fish)	\$50
2.00 Fishing methods – with 2 poles	\$300
_ with net	\$500
2.10 Fishing methods – hooks	\$300
307 Tree squirrels – season and area	\$300
+(For each over-limit animal)	\$50
308 Rabbits – season and area	\$300
+(For each over-limit animal)	\$50
310 Violate shooting hours – small game animal	\$300
310.5 Violate shooting hours – game birds	\$300
311 Weapons or method authorized	\$400 or MA
353 Violate shooting hours – big game	\$400

360	Deer – season and area	\$1000 or MA
365	Bear – season and area	\$1000 or MA
365(e)	Method of take	\$250 or MA
502	Migratory waterfowl – season and area +(For each over-limit bird)	\$250 or MA \$50
506	Waterfowl – shooting hours	\$300
507	Waterfowl – method of take	\$250 or MA
700(a)	Display of fishing license	\$100
	Unlicensed (See Fish and Game § 2012)	\$300
700(b)	Hunting license in possession	\$100
	Unlicensed (See Fish and Game§ 2012)	\$300